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नई दिल्ली, शनिवार, मार्च 13, 1971/फाल्गुन 22, 1892

No. 11]

NEW DELHI, SATURDAY, MARCH 13, 1971/PHALGUNA 22, 1892

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।

Separate paging is given to this Part in order that it may be filed as a separate compilation.

भाग II—खंड 3—उपखंड—(ii)

PART II—Section 3—Sub-section (ii)

(रक्षा मंत्रालय को छोड़कर) भारत सरकार के मंत्रालयों और (संवर्द्ध प्रशासन को छोड़कर)
केंद्रीय प्राधिकरणों द्वारा जारी किये गये विधिक आदेश और अधिसूचनाएं

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

MINISTRY OF HOME AFFAIRS

NOTICE

New Delhi, the 23rd February 1971

S.O. 1037.—Notice is hereby given by the Competent Authority in pursuance of rule 6 of the Notaries Rules, 1956, that application has been made to the said Authority, under rule 4 of the said Rules, by Shri Kaijash Nath Dheer, Advocate, Nakodar (Punjab) for appointment as a Notary to practise in Nakodar Sub-Division with headquarters at Nakodar.

2. Any objection to the appointment of the said person as a Notary may be submitted in writing to the undersigned within fourteen days of the publication of this notice.

[No. 28/43/68-Judl.III.]

B. SHUKLA, Competent Authority.

गृह मंत्रालय

नोटिस

नई दिल्ली, 23 फरवरी, 1971

एस० श्री० 1037.—इसके द्वारा, लेख्य प्रमाणक नियम (नोटरीज रूल्स), 1956 के नियम 6 के अनुसार, सक्षम प्राधिकारी द्वारा सूचना दी जाती है कि उक्त प्राधिकारी को श्री कैलाश नाथ धीर अधिवक्ता, नकोदर (पंजाब) ने उक्त नियमों के नियम 4 के अधीन नकोदर सब-डिवीजन में नकोदर मुख्यालय से लेख्य प्रमाणक (नोटरी) का काम करने की नियुक्ति के लिये आवेदन-पत्र भेजा है।

उक्त व्यक्ति की लेख्य प्रमाणक के रूप में नियुक्ति के बारे में यदि कोई आपत्तियां हों तो वे इस नोटिस के प्रकाशित होने के चौदह दिन के अन्दर नीचे हस्ताक्षर करने वाले को लिख कर भेज दिया जावें।

[सं० 28/43/68—न्यायिक—III]

ब्रह्मानन्द शुक्ल, सक्षम प्राधिकारी।

MINISTRY OF INDUSTRIAL DEVELOPMENT AND INTERNAL TRADE

(Department of Internal Trade)

New Delhi, the 19th February 1971

S.O. 1038.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the East India Jute and Hessian Exchange Limited, 43, Netaji Subhas Road, Calcutta, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by Section 6 of the said Act, recognition to the said Exchange for a further period of two years ending with the 28th March, 1973, in respect of forward contracts in raw jute (including mesta) in the States of West Bengal, Bihar, Assam and Orissa and the Union Territory of Tripura.

2. The recognition hereby granted is subject to the condition that the said Exchange shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. F. 12(1)-I.T/71.]

औद्योगिक विकास तथा आंतरिक व्यापार मंत्रालय

(आंतरिक व्यापार विभाग)

नई दिल्ली, 19 फरवरी, 1971

फा० आ० 1038.—केन्द्रीय सरकार, वायदा बाजार आयोग से परामर्श करके, इस्ट इंडिया जूट एण्ड हेसन एक्सचेंज लिमिटेड, 43, नेताजी सुभास रोड, कलकत्ता द्वारा अग्रिम संविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन किए गये मान्यता के नवीकरण के लिए आवेदन पर विचार कर लेने पर और यह समाधान हो जाने पर कि ऐसा करना व्यापार के हित में और लोक हित में भी होगा, उक्त अधिनियम की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त एक्सचेंज को, पश्चिम बंगाल, बिहार, असम और उड़ीसा राज्यों और त्रिपुरा संघ राज्य क्षेत्र में नए जूट (जिसमें मेस्टा सम्मिलित है) में अग्रिम संविदाओं की बाबत 28 मार्च, 1973 को समाप्त होने वाली दो वर्ष की और कालावधि के लिए एतद्द्वारा मान्यता प्रदान करती है।

2. एतद्द्वारा प्रदत्त मान्यता इस शर्त के अध्वधीन है कि उक्त एक्सचेंज ऐसे निदेशों का अनुपालन करेगा जो वायदा बाजार आयोग द्वारा समय-समय पर दिए जाएं।

[सं० फा० 12 (1)—आई० टी०/71]

S.O. 1039.—The Central Government, having considered in consultation with the Forward Markets Commission, the application for renewal of recognition made under Section 5 of the Forward Contracts (Regulation) Act, 1952 (74 of 1952) by the East India Jute and Hessian Exchange Limited, 43, Netaji Subhas Road, Calcutta, and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by section 6 of the said Act, recognition to the said Exchange for a further period of two years ending with the 28th March, 1973, in respect of forward contracts in *jute goods* (hessian and sacking cloth or bag or both, twines or yarns or both manufactured by any of the mills or any other manufactures of whatever nature made from jute) in the city of Calcutta.

Explanation.—In this notification, the expression “City of Calcutta” means:—

- (1) Calcutta as defined in Clause (ii) of Section 5 of the Calcutta Municipal Act, 1951 (West Bengal Act, 33 of 1951), together with part of Hastings North or South edge of Clyde Row and Strand Road to the river bank and the areas which were previously under the now defunct Toile-gunge Municipality.
- (2) The part of Calcutta; and
- (3) The Districts of 24 Parganas, Nadia, Howrah and Hooghly.

2 The recognition hereby granted is subject to the condition that the said Exchange shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. F. 12(1)-I.T/71.]

S. RAJARAMAN, Dy. Secy.

फॉ० प्रॉ० 1039.—केन्द्रीय सरकार, बायदा बाजार आयोग से परामर्श करके, ईस्ट इंडियन जूट एण्ड हेसन एक्सचेंज लिमिटेड, 43, नेताजी सुभाष रोड, कलकत्ता द्वारा अधिम संविदा (विनियमन) अधिनियम, 1952 (1952 का 74) की धारा 5 के अधीन किये गये, मान्यता के नवीकरण के लिए आवेदन पर विचार कर लेने पर और यह समाधान हो जाने पर कि ऐसा करना व्यापार के हित में और लोक हित में भी होगा, उक्त अधिनियम की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए उक्त एक्सचेंज को कलकत्ता नगर में जूट माल (किसी भी प्रकार की किसी मिल या किसी अन्य विनिर्माता द्वारा जूट से बनाए गए हेसन और बोरिंग्स बनाने के कपड़े या बोरे या दोनों, ट्राइ या सूत या दोनों) में अधिम संविदाओं की बाबत 28 मार्च, 1973 को समाप्त होने वाली दो वर्ष की और कालावधि के लिए एतद्द्वारा मान्यता प्रदान करती है।

स्पष्टीकरण.—इस अधिसूचना में, “कलकत्ता नगर” पद से अभिप्रेत है:—

- (1) कलकत्ता नगर पालिका अधिनियम, 1951 (1951 का पश्चिम बंगाल अधिनियम सं० 33) की धारा 5 के खण्ड 11 में यथा परिभाषित कलकत्ता तथा उसके साथ हेस्टिंग्स नार्थ या क्लाइड रो का साउथ सिरा और नदी तट तक स्ट्रैंड रोड और वे क्षेत्र जो एतद्पूर्व अब समाप्त टालीगंज नगरपालिका के अन्तर्गत थे:
- (2) कलकत्ता पत्तन, और
- (3) 24 परगना, नादिया, हावड़ा और हुगली जिले।

2. एतद्द्वारा प्रदत्त मान्यता इस शर्त के अध्वधीन है कि उक्त एक्सचेंज ऐसे निदेशों का अनुपालन करेगा जो बायदा बाजार आयोग द्वारा समय-समय पर दिये जाएंगे।

[सं० फाइल 12(1)—आई० टी०/71]

एस० राजारामन, उप सचिव।

MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS**(Department of Petroleum)***New Delhi, the 20th February 1971*

S.O. 1040.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines & Metals (Department of Petroleum) S.O. No. 3754, dated 28th October, 1970 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipelines;

And whereas, the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And further whereas, the Central Government has, after considering the said report, decided to acquire the Right of user in the lands specified in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 3 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines;

And further, in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from encumbrances.

SCHEDULE*Pipeline from D.S. to BDE*

State : Gujarat

District : Kaira

Taluka : Matar

| Village | Survey No. | Hectare | Ac. | P. Ac. |
|-----------|------------|---------|-----|--------|
| Kathawada | 250/Paiki | 0 | 1 | 25 |
| | 249/1 | 0 | 4 | 00 |
| | 247/1 | 0 | 3 | 25 |
| | 247/2 | 0 | 4 | 00 |
| | 247/3 | 0 | 6 | 00 |
| Nawagam | 166 | 0 | 2 | 00 |

[No. 11(2)/70-Lab & Legis.]

पेट्रोलियम तथा रसायन और खान तथा धातु मंत्रालय**(पेट्रोलियम विभाग)**

नई दिल्ली, 20 फरवरी, 1971

का० आ० 1040 —यतः पेट्रोलियम, पाइप लाइन (भूमि के उपयोग के अधिकार का अर्जन), अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम तथा रसायन और खान तथा धातु मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना का० आ० सं० 3754, तारीख 26-10-70 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग के अधिकार को पाइप लाइनों को विछाने के प्रयोजन के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सञ्चन प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिये एतद्वारा अर्जित किया जाता है ।

और, आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार के विहित होने के बजाय तेन प्रौर प्राकृतिक गैस आयोग में, सभी बन्दरगाहों में पुस्तक रूप में, इस बोर्डिंग के प्रकाशन की इस तारीख को निहित होगा ।

अनुसूची

डी० एस० बी प्रार से बी डी ई तक पाइपलाइन

| राज्य | गुजरात | जिला | केरल | तालुका | मातार |
|----------|------------------|------|--------|--------|----------------|
| गांव | सर्वेक्षण संख्या | | हेक्टर | | प्रार पी प्रार |
| काथावाडा | 250/पैको | | 0 | 1 | 25 |
| | 249/1 | | 0 | 4 | 00 |
| | 247/1 | | 0 | 3 | 25 |
| | 247/2 | | 0 | 4 | 00 |
| | 247/3 | | 0 | 6 | 00 |
| नवागांव | 166 | | 0 | 2 | 00 |

[सं० 11(2)/70-नेबर एण्ड लेजिस]

S.O. 1041.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Petroleum) S.O. No. 3758 dated 27th October, 1970 under sub-section (1) of Section 3 of the Petroleum Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the Right of User in lands specified in the schedule appended to that notification for the purpose of laying pipelines;

And whereas, the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Government;

And further whereas, the Central Government has, after considering the said report, decided to acquire the Right of user in the lands specified in the schedule appended to this notification;

Now therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification is hereby acquired for laying the pipelines;

And further, in exercise of the power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands

shall instead of vesting in the Central Government vest on this date of the publication of this declaration in the Oil and Natural Gas Commission free from all encumbrances.

SCHEDULE

Pipeline from D. S. NKE to Kadi—I

State :—Gujarat

District : Mehsana

Taluka : Mehsana.

| Village | Survey No. | Hectare | Are. | P. Are. | |
|------------|--------------------------------------|----------|-----------|---------|----------|
| Chalagan | Cart track between S. No. 48 & 75 | 0 | 1 | 01 | |
| | 71 | 0 | 6 | 07 | |
| | 75 | 0 | 7 | 08 | |
| | 74 | 0 | 10 | 12 | |
| | 73/Paiki | 0 | 18 | 21 | |
| | 72 | 0 | 12 | 14 | |
| | Cart track between S. No. 71 & 91 | 0 | 2 | 01 | |
| | 91 | 0 | 18 | 21 | |
| | 90 | 0 | 7 | 08 | |
| | 89 | 0 | 6 | 07 | |
| | 86 | 0 | 11 | 13 | |
| | 113/1 | 0 | 6 | 07 | |
| | 112 | 0 | 5 | 06 | |
| | Cart track between S. No. 112& 118/2 | 0 | 1 | 01 | |
| | 118/2 | 0 | 7 | 09 | |
| | 118/Paiki | 0 | 1 | 00 | |
| | 117 | 0 | 2 | 02 | |
| | 120/2 | 0 | 9 | 11 | |
| | 121 | 0 | 6 | 07 | |
| | Cart track between No. 121 & 122 | 0 | 1 | 01 | |
| | 122 | 0 | 13 | 15 | |
| Mehmadpura | 18 | 0 | 2 | 02 | |
| | 19 | 0 | 4 | 05 | |
| | Cart track between S. No. 19 & 34 | 0 | 1 | 01 | |
| | 34/2 | 0 | 3 | 04 | |
| | 34/3 | 0 | 7 | 08 | |
| | 34/4 | 0 | 5 | 06 | |
| | Cart track between S. No. 34/2& 21 | 0 | 1 | 01 | |
| | 21 | 0 | 10 | 14 | |
| | 24 | 0 | 7 | 08 | |
| | 23 | 0 | 7 | 08 | |
| | 25 | 0 | 3 | 00 | |
| | 26 | 0 | 2 | 00 | |
| | Cart track between S. No. 26 & 72 | 0 | 1 | 01 | |
| | 72 | 0 | 12 | 14 | |
| | 68/1 | 0 | 5 | 05 | |
| | 22 | 0 | 2 | 00 | |
| STATE | GUJARAT | DISTRICT | AHMEDABAD | TALUKA | VIRAMGAM |
| Village | Survey No | Hectare | Are | P | Are |
| Balasasan | 101 | 0 | 6 | 07 | |
| | 102 | 0 | 8 | 09 | |
| | 103 | 0 | 15 | 18 | |
| | 105 | 0 | 6 | 07 | |
| | 109 | 0 | 10 | 12 | |
| | 108 | 0 | 8 | 09 | |

| Village | Survey No. | Hectare | Are | P. Are. |
|---------|--|---------|-----|---------|
| | Cart track between 108 & 153 | 0 | 2 | 00 |
| | 153 | 0 | 16 | 19 |
| | 154 | 0 | 10 | 14 |
| | 155 | 0 | 14 | 16 |
| | Cart track between S. No. 155 & 185 | 0 | 2 | 02 |
| | 185 | 0 | 4 | 05 |
| | 183 | 0 | 4 | 05 |
| | 184 | 0 | 7 | 08 |
| | Cart track between S S. No. 184 & 205 | 0 | 2 | 02 |
| | 205 | 0 | 12 | 14 |
| | 206 | 0 | 6 | 07 |
| | 207 | 0 | 10 | 12 |
| | 202 | 0 | 5 | 06 |
| | 214 | 0 | 20 | 23 |

[No. 11(1)/70-Lab. & Legls. 1.]

M. V. S. PRASADA RAU, Under Secy.

क्र० अ० 1041. —यतः पेट्रोलियम, पाइप लाइन (भूमि के उपयोग के अधिकार का अजेन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम तथा रसायन और खान तथा धातु मंत्रालय (पेट्रोलियम विभाग) की अधिसूचना क्र० आ० सं० 3758 तारीख 27-10-70 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमिओं के उपयोग के अधिकार को पाइप लाइनों को बिछाने के प्रयोजन के लिये अर्जित करने का अपना आशय घोषित कर दिया था ।

और यतः सक्षम अधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा घोषित करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रयोजन के लिए एतद्द्वारा अर्जित किया जाता है ।

और, आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निदेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में विहित होने के बजाय तेल और प्राकृतिक गैस आयोग में, सभी बन्धकों से मुक्त रूप में, इस घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

अनुसूची

डी० एस० एनकेई से काडी--1 तक पाइपलाइन

राज्य : गुजरात : जिला महसाना तालुका : महसाना

| गांव | सर्वेक्षण संख्या | हेक्टर | अर | पी अर |
|-----------|---|--------|----|-------|
| चालासन] | संख्या 48 तथा 75 के बीच कार्टे ट्रैक | 0 | 1 | 01 |
| | 71 | 0 | 6 | 07 |
| | 75 | 0 | 7 | 08 |
| | 74 | 0 | 10 | 12 |
| | 73/वैकी | 0 | 18 | 21 |
| | 72 | 0 | 12 | 14 |
| | सं० संख्या 71 तथा 91 के बीच कार्टे ट्रैक | 0 | 2 | 01 |
| | 91 | 0 | 18 | 21 |
| | 90 | 0 | 7 | 08 |
| | 89 | 0 | 6 | 07 |
| | 86 | 0 | 11 | 13 |
| | 113/1 | 0 | 6 | 07 |
| | 112 | 0 | 5 | 06 |
| | सं० संख्या 112 तथा 118/2 के बीच कार्टे ट्रैक | 0 | 1 | 01 |
| | 118/2 | 0 | 7 | 09 |
| | 118/वैकी | 0 | 1 | 00 |
| | 117 | 0 | 2 | 02 |
| | 120/2 | 0 | 9 | 11 |
| | 121 | 0 | 6 | 07 |
| | सं० संख्या 121 तथा 122 के बीच कार्टे ट्रैक | 0 | 1 | 02 |
| | 122 | 0 | 13 | 15 |
| महमादपुरा | 18 | 0 | 2 | 02 |
| | 19 | 0 | 4 | 05 |
| | सं० संख्या 19 तथा 34 के बीच कार्टे ट्रैक | 0 | 1 | 01 |
| | 34/2 | 0 | 3 | 04 |
| | 34/3 | 0 | 7 | 08 |
| | 34/4 | 0 | 5 | 06 |
| | सं० संख्या 34/2 तथा 21 के बीच कार्टे ट्रैक | 0 | 1 | 01 |

| गांव | सर्वेक्षण संख्या | हेक्टर | आर | पी आर | |
|----------|---|--------|----------|--------|-----------|
| | 21 | 0 | 10 | 14 | |
| | 24 | 0 | 7 | 08 | |
| | 23 | 0 | 7 | 08 | |
| | 25 | 0 | 3 | 00 | |
| | 26 | 0 | 2 | 00 | |
| | सं० संख्या 26 तथा 72 के बीच कार्टे ट्रैक | 0 | 1 | 01 | |
| | 72 | 0 | 12 | 14 | |
| | 68/1 | 0 | 5 | 05 | |
| | 22 | 0 | 2 | 00 | |
| राज्य | गुजरात | जिला | अहमदाबाद | तालुका | बीरामगांव |
| गांव | सर्वेक्षण संख्या | | हेक्टर | आर | पी आर |
| बालासासन | 101 | | 0 | 6 | 07 |
| | 102 | | 0 | 8 | 09 |
| | 103 | | 0 | 15 | 18 |
| | 105 | | 0 | 6 | 07 |
| | 109 | | 0 | 10 | 12 |
| | 108 | | 0 | 8 | 09 |
| | सं० संख्या 108 तथा 153 के बीच कार्टे ट्रैक | | 0 | 2 | 00 |
| | 153 | | 0 | 16 | 19 |
| | 154 | | 0 | 10 | 14 |
| | 155 | | 0 | 14 | 16 |
| | सं० संख्या 155 तथा 185 के बीच कार्टे ट्रैक | | 0 | 2 | 02 |
| | 185 | | 0 | 4 | 05 |
| | 183 | | 0 | 4 | 05 |
| | 184 | | 0 | 7 | 08 |
| | सं० संख्या 184 तथा 205 के बीच कार्टे ट्रैक | | 0 | 2 | 02 |
| | 205 | | 0 | 12 | 14 |
| | 206 | | 0 | 6 | 07 |
| | 207 | | 0 | 10 | 12 |
| | 202 | | 0 | 5 | 06 |
| | 214 | | 0 | 20 | 23 |

[सं० 11/1/70-लेबर एण्ड लेजिस]

सं० व० शिव प्रसाद राव, अवर सचिव ।

(Department of Mines and Metals)

New Delhi, the 20th February 1971

S.O. 1042.—In exercise of the powers conferred by sub-section (2) of section 4 of the Coal Mines (Conservation, Safety and Development) Act, 1952 (12 of 1952), the Central Government hereby appoints Shri P. K. Ghosh, Coal Controller, Calcutta, as the Chairman of the Coal Board and directs that the following further amendment shall be made in the Notification of the Government of India in the late Ministry of Steel, Mines and Metals (Department of Mines and Metals), No. S.O. 3435 dated the 21st September, 1967, namely:—

In the said Notification, for item 1 and the entries relating thereto, the following shall be substituted, namely:—

'1 Shri P. K. Ghosh, Coal Controller.

Chairman"

[No. C4-12(49)/70.]

(खान और धातु विभाग)

नई दिल्ली, 20 फरवरी, 1971

का० प्रा० 1042.—कोयला खान (संरक्षण, सुरक्षा और विकास) अधिनियम, 1952 (1952 का 12) की धारा 4 की उपधारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री पी० के० घोष, कोयला नियंत्रक, कलकत्ता को कोयला बोर्ड के अध्यक्ष के रूप में नियुक्त करती है और निदेश देती है कि भारत सरकार के भूतपूष इस्पात, खान और धातु मंत्रालय (खान और धातु विभाग) की अधिसूचना सं० का० प्रा० 3435, तारीख 21 सितम्बर, 1967 में निम्नलिखित अतिरिक्त संशोधन किए जाएंगे; अर्थात्

उक्त अधिसूचना में मद संख्या I और तरसम्बन्धी प्रविष्टियों के लिए निम्नलिखित प्रतिस्थापित किया जाएगा ; अर्थात्

"1. श्री पी० के० घोष,
कोयला नियंत्रक ।

अध्यक्ष"

[सं० को 4-12(49)/70]

ORDER

New Delhi, the 22nd February 1971

S.O. 1043.—In exercise of the powers conferred by the proviso to clause (a) of sub-section (1) of section 8 of the Coal Mines (Conservation, Safety and Development) Act, 1952 (12 of 1952), and in supersession of the Notification of the Government of India in the Ministry of Petroleum and Chemicals and Mines and Metals (Department of Mines and Metals), No. S.O. 1810, dated the 1st May, 1970, the Central Government hereby exempts raw coal despatched from any colliery in India for the purpose of beneficiation, from the levy of the duty of excise referred to in the said "clause":

Provided that the exemption hereby granted shall be available only in those cases where excise duty is leviable on such coal after beneficiation.

[No. C5-7(2)/64 C4.]

M. S. K. RAMASWAMI, Dy. Secy.

अदेश

नई दिल्ली, 22 फरवरी, 1971

का० प्रा० 1043.—कोयला खान (संरक्षण, सुरक्षा और विकास) अधिनियम, 1952 (1952 का 12) की धारा 8 की उपधारा (1) के खण्ड (क) के परन्तुक द्वारा प्रदत्त

शक्तियों का प्रयोग करते हुए और भारत सरकार के पेट्रोलियम और रसायन तथा खान और धातु मंत्रालय (खान और धातु विभाग) की अधिसूचना सं० का० आ० 1810, तारीख 1 मई, 1970 को अधिक्रान्त करते हुए, केन्द्रीय सरकार परिष्करण के प्रयोजन के लिए भारत में किसी भी कोयला खान से प्रेषित कच्चे कोयले पर उक्त खण्ड में निर्देशित उत्प्रेषण शुल्क के उद्ग्रहण पर एतद्वारा छूट देती है,

परन्तु एतद्वारा अनुदत्त छूट केवल उन मामलों में उपलब्ध होगी जहाँ परिष्करण के उपरान्त ऐसे कोयले पर उत्प्रेषण शुल्क उद्ग्रहणीय है।

[स० को० 5-7 (2)/64-को० 4]

एम० एस० के० रामास्वामी, उप सचिव।

MINISTRY OF FINANCE

(Department of Revenue and Insurance)

INCOME-TAX

New Delhi, the 4th February 1971

S.O. 1044.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby authorises Shri K. K. Tewari, who is a Gazetted Officer of the Central Government to exercise the powers of Tax Recovery Officer under the said Act.

2. This Notification shall come into force with immediate effect.

[No 20 (F No. 404/26/71-ITCC)]

वित्त मंत्रालय

(राजस्व और बीमा विभाग)

आयकर

नई दिल्ली, 4 फरवरी, 1971

एस० ओ० 1044.—आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा श्री के० के० तिवारी को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी है, उक्त अधिनियम के अधीन कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

[स० 20 (फा० सं० 404/26/71-आई टी सी सी)]

New Delhi, the 8th February 1971

S.O. 1045.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby authorises:

1. Shri K. L. Chopra and
2. Shri B. D. Narang

who are Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officers under the said Act.

2. This Notification supersedes Notification No 1 (F. No 404/143/70-ITCC), dated 1st January, 1971 and shall come into force from 1st of March, 1971.

[No 22 (F. No. 404/26/71-ITCC).]

नई दिल्ली, 8 फरवरी, 1971

एस० नो० 1045.— आयकर अधिनियम, 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा 1. श्री के० एल० चोपड़ा तथा 2. श्री बी० डी० नारंग को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अधीन कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिये प्राधिकृत करती है।

2. यह अधिसूचना अधिसूचना सं० 1 (फा सं० 404/143/70/आई टी सी सी) तारीख 1 जनवरी, 1971 को अधिक्रान्त करती है और यह 1 मार्च, 1971 से प्रवृत्त होगी।

[सं० 22 (फ० सं० 404/25/71-आई० टी टी सी)]

New Delhi, the 11th February 1971

S.O. 1046.—In exercise of the powers conferred by sub-clause (iii) of clause (44) of Section 2 of the Income-tax Act, 1961 (43 of 1961) the Central Government hereby authorises:

1. Shri E. C. Ayyappan,
2. Shri P. P. Vijayaraghavan,
3. Shri K. K. Sukumaran,

who are Gazetted Officers of the Central Government to exercise the powers of Tax Recovery Officers under the said Act.

2. This Notification shall come into force with immediate effect.

[No. 37 (F. No. 404/32/71-ITCC).]

R. D. SAXENA, Dy. Secy.

नई दिल्ली, फरवरी 1971

एस० नो० 1046.—आयकर अधिनियम 1961 (1961 का 43) की धारा 2 के खण्ड (44) के उपखण्ड (iii) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा।

1. श्री ई० सी० अय्यायम
2. श्री पी० पी० विजय राघवन
3. श्री के० के० सुकुमारन्

को, जो केन्द्रीय सरकार के राजपत्रित अधिकारी हैं, उक्त अधिनियम के अधीन कर वसूली अधिकारी की शक्तियों का प्रयोग करने के लिए प्राधिकृत करती है।

2. यह अधिसूचना तुरन्त प्रवृत्त होगी।

[सं० 37 (फ० सं० 404/32/71-आई० टी टी सी)]

आर० डी० सक्सेना, उपसचिव।

MINISTRY OF IRRIGATION AND POWER

New Delhi, the 27th February 1971

S.O. 1047.—In exercise of the powers conferred by section 3 of the Indian Electricity (Supply) Act, 1948 (54 of 1948) and in partial modification of this Ministry's Notification No. EL.II.28(15)/67, dated the 28th November, 1969, the

Central Government hereby appoint the following officers as Members of the Central Electricity Authority:—

1. Shri B. R. R. Iyengar, Member (HE), C.W.&P.C. (PW) vice Shri A. P. Seethapathy, who has since retired from Government Service.
2. Shri B. N. Ojha, Member (Thermal), C.W.&P.C. (PW), vice Shri K. A. Dave, Vice-Chairman, who has been appointed as Chairman of the Central Electricity Authority vide this Ministry's Notification No. EL.II.28(3)/70, dated the 8th May, 1970.

[No. EL.II.28(3)/70.]

M. RAMANATHAN, Dy. Director (Power).

सिचाई और विद्युत मंत्रालय

नई दिल्ली, 27 फरवरी, 1971

एस० ओ० 1047.—बिजली (पूर्ति) अधिनियम, 1948 (1948 का 54) की धारा 3 में प्रदत्त शक्तियों का प्रयोग करते हुए और इस मंत्रालय की अधिसूचना संख्या ई एल -दो-28(15)-67, दिनांक 28 नवम्बर, 1969 में आंशिक रूप से संशोधन करते हुए, केन्द्रीय सरकार निम्नलिखित अधिकारियों को केन्द्रीय बिजली प्राधिकरण के सदस्यों के रूप में नियुक्त करती है :—

1. श्री बी० आर० आर० अयंगर, सदस्य (जल-विद्युत्),
केन्द्रीय जल और विद्युत् आयोग, (विद्युत् संघ)
को श्री ए० पी० सीतापति के स्थान पर जो सरकारी सेवा से निवृत्त हो गए हैं।
2. श्री बी० एन० ओझा, सदस्य (ताप-विद्युत्), केन्द्रीय जल और विद्युत् आयोग (विद्युत् स्कंध) को श्री के० ए० दवे, उपाध्यक्ष के स्थान पर जो इस मंत्रालय की अधिसूचना सं० ई० एल० दो-28(3)-70, दिनांक 8 मई, 1970 द्वारा केन्द्रीय बिजली प्राधिकरण के अध्यक्ष नियुक्त किए जा चुके हैं।

[संख्या ई एल-दो-28(3)-70]

एम० रामनाथन,

उपनिदेशक (विद्युत्)।

MINISTRY OF FOREIGN TRADE

(Office of the Chief Controller of Imports and Exports)

ORDER

New Delhi, the 2nd February 1971

S.O. 1048.—M/s. Cosmos India Rubber Works Private Ltd., Rahimtoola House, 7-Homji Street, Fort, Bombay were granted import licence No. P/C/2061989/S/IB/37/H/29-30/CG.I, dated the 24th October, 1970 for Rs. 2,70,000 (Rupees Two lakhs and Seventy thousand only). They have applied for the issue of a duplicate Customs Copy of the said licence on the ground that the original Customs Purposes copy has been lost/misplaced. It has been further stated by the licensee that the original Customs Purposes copy of the import licence was not registered with any Customs authorities and has not been utilised at all.

2. In support of the above contention, the applicant has filed an affidavit. I am accordingly satisfied that the original Customs Purposes copy of the afore-said licence has been lost/misplaced. Therefore, in exercise of the powers confirmed under Sub-Clause 9(cc) of Imports (Control) Order, 1955, dated 7th December, 1955 as amended, the said original Customs Purposes copy of import licence No. P/C/2061989/S/IB/37/H/29-30, dated the 24th October, 1970 issued to M/s. Cosmos India Rubber Works Private Ltd., Rahimtoola House, 7-Homji Street, Fort, Bombay, is hereby cancelled.

3. A duplicate Customs Purposes copy of the said licence is being issued separately to the licensee.

[No. 30(24)/69-70/CG.I.]

H. D. GUPTA,

Dy. Chief Controller of Imports & Exports.

विदेश व्यापार संज्ञा.

संयन्त्रक आयात-निर्यात का पर्याप्त

आदेश

नई दिल्ली, 2 फरवरी, 1971

एस० ओ० 1048.—सर्वश्री कोसमास इन्डिया रबड़ वर्क्स प्रा० लि० रहीमतुल्ला हाउस, 7, होमजी स्ट्रीट, फोर्ट, बम्बई को 2,70,000 रुपये (दो लाख सत्तर हजार रुपये मात्र) के लिए एक आयात लाइसेंस सं० पी० सी०/2061989/एस/आईबी/37/एच-29-30, दिनांक 24-10-70 जारी किया गया था। उन्होंने उक्त लाइसेंस की सीमाशुल्क विभाग संबंधी प्रति की अनुलिपि के लिए इस आधार पर आवेदन किया है कि मूल सीमा शुल्क विभाग संबंधी प्रति खो गई है / अस्थानस्थ हो गई है। लाइसेंस धारी द्वारा आगे यह उल्लेख किया गया है कि मूल सीमाशुल्क प्रति किसी सीमा-शुल्क-प्राधिकारी से पंजीकृत नहीं कराई गई थी और उस का उपयोग बिल्कुल नहीं किया गया था।

2. अपने तर्कों की पुष्टि में आवेदक ने एक शपथ-पत्र दाखिल किया है। तदनुसार मैं संतुष्ट हूँ कि पूर्वोक्त लाइसेंस की सीमा-शुल्क विभाग संबंधी मूल प्रति खो गई है। अस्थानस्थ हो गई है। अतः यथा संशोधित आयात (नियंत्रण) आदेश, 1955 की उप-धारा 9(सीसी) में प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री कोसमास इन्डिया रबड़ वर्क्स प्रा० लि० रहीमतुल्ला हाउस, 7-होमजी स्ट्रीट, फोर्ट, बम्बई को जारी किए गए लाइसेंस सं० पी० सी० 206/989 एस/आईबी/37/एच/29-30, दिनांक 24-10-1970 की मूल सीमाशुल्क विभाग सम्बन्धी प्रति को एतद्द्वारा रद्द किया जाता है।

लाइसेंस धारी को उक्त लाइसेंस की सीमा शुल्क विभाग संबंधी प्रति की अनुलिपि अलग से जारी की जा रही है।

[संख्या 30(24)/69-70/सीजी I]

हरदेव गुप्ता,

उप-मुख्य नियंत्रक, आयात-निर्यात।

(Office of the Chief Controller of Imports & Exports)

ORDERS

New Delhi, the 19th February 1971

S.O. 1049.—M/s. Union Carbide India Ltd., New Delhi, were granted Import Licence No. P/D/2171497/S/AN, dated 22nd September, 1969, under U.S. Aid Loan for import of Raw Materials/Consumable Stores/spares valued at Rs. 1,96,000 only. Subsequently two subsidiary licences for Rs. 50,000 each were issued leaving a balance of Rs. 96,000 in the main licence. They have requested for the issue of duplicate customs purposes copy of the licence on the grounds that the original Custom Copy of the licence has been lost by them. It has been further reported by the licensee that the licence had an unutilized balance of Rs. 12,363 and it was registered with the Calcutta Customs Office.

In support of their Contention, the applicant have filed an affidavit. The undersigned is satisfied that the original Customs Purposes Copy of the licence No. P/D/2171497/SAN, dated 22nd September 1969, has lost and directs that a duplicate Customs Purposes Copy of the said licence should be issued to them. The original Customs Purposes Copy is cancelled.

The duplicate Custom Copy is being issued separately.

[No. Battery/3(3)/69/70/R.M.II]

मुख्य नियंत्रक, आयात-निर्यात का कार्यालय

आदेश

नई दिल्ली, 19 फरवरी, 1971

एस० ओ० 1049.—सर्वश्री यूनियन कार्बाइड, नई दिल्ली के संयुक्त राज्य सहायता ऋण के अन्तर्गत कच्चे माल संघटकों स्टोर्स। फालतू पुर्जा के आयात के लिये 196000 रुपये मात्र के मूल्य का एक आयात लाइसेंस सं० पी डी-2171497-एस०/ए० एन० दिनांक 22-9-69 प्रदान किया गया था। तदन्तर मुख्य लाइसेंस में 96000 रुपये शेष छोड़ते हुए दो गौण लाइसेंस प्रत्येक 50,000 रुपये के लिए जारी किए गए। उन्होंने लाइसेंस की सीमा-शुल्क प्रति की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमा-शुल्क प्रति उन से खो गई है। लाइसेंस धारी द्वारा यह सूचना दी गई है कि लाइसेंस पर 12363 रुपये का उपयोग करना शेष था और यह सीमा शुल्क कार्यालय कलकत्ता से पंजीकृत कराया गया था।

अपने तर्क के संकथन में आवेदक ने एक शपथ पत्र जमा किया है। अधोहस्ताक्षरी संतुष्ट है कि लाइसेंस सं० पी० डी 2171497 एस/एन दिनांक 22-9-69 खो गया है और निवेश देता है कि उन को उक्त लाइसेंस की सीमा-शुल्क प्रति की अनुलिपि जारी की जानी चाहिए। मूल सीमा-शुल्क प्रति रद्द की जाती है।

सीमा शुल्क प्रति की अनुलिपि अलग से जारी की जा रही है।

[सं० बैट्री/3(3)/69/70 आरएम 21]

S.O. 1050.—M/s. Union Carbide India Limited, New De'hi, were granted Import licence No. P/D/2167364/XX/30/11/Battery, dated 1st February, 1969, under Free Foreign Exchange for import of Raw Materials/Components valued at Rs. 2780,000 only. They have requested for issue of duplicate Customs Purposes copy of the licence on the ground that the original Customs Purposes copy of the licence has been lost by them. It has been further reported by the firm that the licence had an unutilized balance of Rs. 4450 and it was registered with the Calcutta Customs House.

In support of their contention the applicant has filed affidavit. The undersigned is satisfied that the original Customs Purposes Copy of the licence No. P/D/2167364/C/XX, dated 1st February, 1969 has been lost and directs that a duplicate Customs Purposes Copy of the said licence should be issued to them. The original customs purposes copy is cancelled.

The duplicate Customs Purposes copy is being issued separately.

[No. Battery 3/(4)/68-69 R.M.II.]

एस० ओ० 1950.—सर्वश्री यूनियन कार्बाइड लि०, नई दिल्ली को मुक्त विदेशी मुद्रा विनियम के अन्तर्गत कच्चे माल/संघटकों के आयात के लिए 27,80,000 रुपये मात्र के मूल्य का एक आयात लाइसेंस सं० पी/डी/2167364/एक्स एक्स/30/एच/28/बैट्री दिनांक 1-2-69 प्रदान किया गया था। उन्होंने लाइसेंस की सीमा-शुल्क प्रति की अनुलिपि के लिए इस आधार पर आवेदन किया है कि लाइसेंस की मूल सीमा शुल्क प्रति उनसे खो गई है। फर्म द्वारा आगे यह सूचना दी गई

है कि लाइसेंस में 4450 रुपये का उपयोग करना बाकी था और इसको सीमाशुल्क कार्यालय कलकत्ता से पंजीकृत कराया गया था ।

अपने तर्कों के समर्थन में आवेदक ने शपथ-पत्र दाखिल किया है । अधोहस्ताक्षरी सन्तुष्ट है कि लाइसेंस सं० पी/डी/2167364/सी/एक्स एक्स दिनांक 1-2-69 की मूल सीमा शुल्क प्रति खो गई है और निदेश देता है कि उनको उक्त लाइसेंस की सीमा शुल्क प्रति की अनुलिपि जारी की जानी चाहिए । मूल सीमा शुल्क प्रति को रद्द किया जाता है ।

सीमा-शुल्क प्रति की अनुलिपि अलग से जारी की जा रही है ।

[सं० बैट्री/3(4)/68-69/आर एम-2]

S.O. 1051.—M/s. Union Carbide India Limited, New Delhi, were granted Import Licence No. P/D/2178062/S/CN, dated 26th February, 1970 under Canadian Loan for Import of Acetylene Black valued at Rs. 1618000. They have requested for the issue of duplicate Customs Purpose Copy of the licence on the ground that the original Custom Copy of the licence has been lost by them. It has been further reported by the licensee that the licence had an unutilized balance of Rs. 1063837 only and it was registered with the Calcutta Custom Office.

In support of their contention, the applicant have filed an affidavit. The undersigned is satisfied that the original Customs Purpose Copy of the licence No. P/D 2178062, dated 26th February, 1970 has been lost and directs that a duplicate custom purpose copy of the said licence should be issued to them. The original custom purpose copy is cancelled.

The duplicate custom copy is being issued separately.

[No. Battery 13(6)/69-70/RMII]

एस० नो० 1151.—सर्वश्री यूनियन कार्बाइड इंडिया लि०, नई दिल्ली के कनाडा ऋण के अन्तर्गत 16,18,000 रुपये के मूल्य की ऐसीटिलीन ब्लैक के आयात के लिए आयात लाइसेंस सं० पी/डी/2178062/एस/सी एन दिनांक 26-2-70 प्रदान किया गया था । उन्होंने लाइसेंस की सीमा-शुल्क प्रति की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि मूल सीमा-शुल्क प्रति उनसे खो गई है । लाइसेंस धारी द्वारा आगे यह सूचना दी गई है कि लाइसेंस पर 10,63,837 रुपये मात्र का उपयोग करना बाकी था और इसको कलकत्ता सीमा-शुल्क कार्यालय से पंजीकृत कराया गया था ।

अपने तर्कों के समर्थन में आवेदक ने एक शपथ-पत्र दाखिल किया है । अधोहस्ताक्षरी सन्तुष्ट है कि लाइसेंस सं० पी/डी/2178062 दिनांक 26-2-70 की मूल सीमा-शुल्क प्रति खो गई है और निदेश देता है कि उनको उक्त लाइसेंस की सीमा-शुल्क प्रति की अनुलिपि जारी की जानी चाहिए । मूल सीमा-शुल्क प्रति रद्द की जाती है ।

सीमा-शुल्क प्रति की अनुलिपि अलग से जारी की जा रही है ।

[संख्या बैट्री/3(6)/69-70/आर एम-2]

S.O. 1052.—M/s. The Milton Cycle Industries Ltd., Sonapat were granted licence No. P/D/2173976/C/XX, dated 27th July, 1970 from General Area for import of Right Hand Chasers valued at Rs. 900. They have requested for the issue of duplicate copy of the licence on the ground that the original has been lost by them. It has been further reported by the licensee that the licence was lost without being utilised at all. The licence was not registered with any of the port authorities.

2. In support of their contention the applicant have filed an affidavit. The undersigned is satisfied that the original licence No. P/D/ 2173976, dated 27th July,

1970, has been lost and directs that a duplicate (both copies) of the said licence should be issued to them. The original licence is cancelled.

[No. Cycle/4/RMI/69-70/RMI.]

G. D. BAHL,

Dy. Chief Controller of Imports & Exports.

एस० ओ० 1052.—सर्वश्री मिल्टन साइकिल इन्डस्ट्रीज लि०, सोनीपत को सामान्य मद्रा क्षेत्र से 900 रुपये के मूल्य के राइट हैंड चेजर्स के आयात के लिए एक लाइसेंस सं० पी/डी/2173976/सी/एक्स एक्स दिनांक 27-7-70 को जारी किया गया था। उन्होंने लाइसेंस की अनुलिपि जारी करने के लिए इस आधार पर आवेदन किया है कि मूल लाइसेंस उनसे खो गया है। लाइसेंसधारी द्वारा यह सूचना दी गई है कि लाइसेंस बिना उपयोग किए खो गया है। लाइसेंस किसी भी पत्तन प्राधिकारी से पंजीकृत नहीं कराया गया था।

2. अपने तर्कों के समर्थन में आवेदकों ने एक शपथ-पत्र दाखिल किया है। अधोहस्ताक्षरी सन्तुष्ट है कि मूल लाइसेंस सं० पी/डी/2173976, दिनांक 27-7-70 खो गया है और निवेश देता है कि उनको उक्त लाइसेंस की अनुलिपि (बोनो प्रतियां) जारी की जानी चाहिए। मूल लाइसेंस रद्द किया जाता है।

[संख्या: साइकिल/4/आरएम 1/69-70/आरएम1]

जी० डी० बहल,

उप-मुख्य नियंत्रक, आयात-निर्यात।

MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION

(Department of Labour and Employment)

New Delhi, the 23rd February 1971

S.O. 1053.—In exercise of the powers conferred by sub-section (3) of section 5A of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), the Central Government hereby appoints Shri Froilano C. R. Machado, as a member of the Mormugao Dock Labour Board *vice* Shri M. da Lima Leitao, resigned and makes the following further amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No S.O. 2930 dated the 20th August, 1968, namely:—

In the said notification, under the heading "*Members representing the employers of dock workers and shipping companies*", against item (1), for the entry "*Shri M. da Lima Leitao*", the entry "*Shri Froilano C. R. Machado*" shall be substituted.

[No. 57/8/68-Fac. II/P & D.]

श्री, रोजगार और पुनर्वास मंत्रालय

(श्री और रोजगार विभाग)

नई दिल्ली, 23 फरवरी, 1971

का० आ० 1053—डॉक कर्मकार (नियोजन का विनियमन) अधिनियम 1948 (1948 का 9) की धारा 5-क की उप-धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा श्री फ्रोइलानो सी० आर० मचादी को श्री एम० डा लिमों लीटाओ के स्थान पर, जिन्होंने त्याग-पत्र दे दिया है, मोर्मगाओ डॉक श्रम बोर्ड के सदस्य के रूप में नियुक्त करती है और भारत सरकार

के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० आ० 2930, तारीख 20 अगस्त, 1968 में आगे निम्नलिखित संशोधन करती है, नामतः—

उक्त अधिसूचना "गोदी कर्मकार और जहाजरानी कम्पनियों का प्रतिनिधित्व करने वाले सदस्य वाले शीर्षक के अन्तर्गत मदद (1) के सामने, "श्री एम० डा लिमा लोटाग्रो" प्रविष्टि के लिए "श्री फ्राइलानों सी० आर० मचादो" प्रविष्टि का प्रतिस्थापन किया जायगा।

[सं० 57/8/68-फैक०-2/पी० एन्ड डी०]

New Delhi, the 26th February 1971

S.O. 1054.—The following draft of a scheme further to amend the Cochin Dock Workers (Regulation of Employment) Scheme, 1959, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 4 of the Dock Workers (Regulation of Employment) Act, 1948 (9 of 1948), is published as required by the said sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the 6th April, 1971.

Any objections or suggestions which may be received from any person with respect to the said draft before the date so specified will be taken into consideration by the Central Government.

Draft Scheme

1. This Scheme may be called the Cochin Dock Workers (Regulation of Employment) Amendment Scheme, 1971.

2. In clause 16 of the Cochin Dock Workers (Regulation of Employment) Scheme, 1959 (hereinafter referred to as the said scheme), in sub clause (2), after item (e), the following item shall be inserted, namely:—

"(f) Riggers or Rigger-cum-Chargemen."

3. In clause 18 of the said Scheme, in sub-clause (1) after item (c), the following proviso shall be inserted, namely:—

"Provided further that the number of persons to be registered as determined by the Board shall be subject to approval by the Central Government."

4. After clause 18 of the said Scheme, the following new clause shall be inserted, namely:—

"18A. *Age of retirement.*—The age of retirement of any worker under the Scheme shall be 58 years:

Provided that such a worker can continue to work upto 60 years subject to the worker being declared medically fit for the work he is doing on attaining the age of 58 years and annually thereafter until he reaches the age of 60."

5. In the Schedule to the said Scheme, in entry (2), after item (e), the following item shall be inserted namely:—

"(f) Riggers or Rigger-cum-Chargemen."

[No. 54/8/70-P&D.]

नई दिल्ली, 26 फरवरी, 1971

का० आ० 1054 —कोचीन डॉक कर्मकार (निर्भोजन का विनियमन) स्कीम, 1959 में और आगे संशोधन करने के लिए एक स्कीम का निम्नलिखित प्रारूप, जिसे केन्द्रीय सरकार डॉक कर्मकार (निर्भोजन का विनियमन) अधिनियम, 1948 (1948 का 9) की धारा 4 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए बनाने की प्रस्थापना करती है, उक्त अधिधारा द्वारा यथा अपेक्षित उन सभी व्यक्तियों की सूचना के लिए प्रकाशित किया जाता है जिनका उत्तक द्वारा प्रभावित होना संभाव्य है; और एतद्वारा सूचना दी जाती है कि उक्त प्रारूप पर 6 अप्रैल, 1971 को या उसके पश्चात् विचार किया जायेगा।

उक्त प्रारूप के बारे में जो आक्षेप या सुझाव किसी व्यक्ति से इस प्रकार विनिर्दिष्ट तारीख से प्राप्त होंगे उन पर केन्द्रीय सरकार द्वारा विचार किया जायेगा।

प्रारूप स्कीम

1. यह स्कीम कोचिन डॉक कर्मकार (नियोजन का विनियमन) संशोधन स्कीम, 1971 कही जा सकेगी।
2. कोचिन डॉक कर्मकार (नियोजन का विनियमन) स्कीम, 1959 (जिसे इसमें हमके पश्चात् उक्त स्कीम कहा गया है) के बंड 16 में, डाखण्ड (2) में, मद (ड) के पश्चात्, निम्नलिखित मद अन्तःस्थापित की जायेगी, अर्थात् :—

“(च) रिगर या रिगर-एवं-चार्जमैन।”

3. उक्त स्कीम के खण्ड 18 में, डाखण्ड (1) में, मद (ग) के पश्चात्, निम्नलिखित परन्तु क अन्तःस्थापित किया जायेगा, अर्थात् :—

“परन्तु यह और कि बोर्ड द्वारा यथा अवधारित रजिस्ट्रीकृत किये जाने वाले व्यक्तियों की संख्या केन्द्रीय सरकार के अनुमोदन के अधधीन होगी।”

4. उक्त स्कीम के खण्ड 18 के पश्चात् निम्नलिखित नया खण्ड अन्तःस्थापित किया जायेगा, अर्थात् :—

“18क. सेवा/निवृत्ति की आयु—इत स्कीम के अधीन कि जो कर्मकार की सेवा/निवृत्ति की आयु 58 वर्ष होगी :

परन्तु ऐसा कर्मकार इस बात के अधधीन 60 वर्ष तक कार्य करता रह सकता है कि कर्मकार को 58 वर्ष की आयु का हो जाने पर और तत्पश्चात् जब तक वह 60 वर्ष का न हो जाए प्रति वर्ष उस कार्य के लिए जिसे वह कर रहा हो, स्वास्थ्य की दृष्टि से योग्य घोषित कर दिया जाए।”

5. उक्त स्कीम की अनुसूची में प्रविष्टि (2) में, मद (ड) के पश्चात्, निम्नलिखित मद अन्तःस्थापित की जाएगी, अर्थात् :—

“(च) रिगर या रिगर-एवं-चार्जमैन।”

[सं० 54/8/70—पी एण्ड डी]

सी० रामदास, उप सचिव।

New Delhi, the 27th February 1971

S.O. 1055.—In exercise of the powers conferred by sub-sections (3) and (4) of section 5A of the Dock Workers (Regulation of Employment) Act 1948 (9 of 1948), the Central Government hereby appoints Shri V Srinivasachary as the Chairman and Member of the Mormugao Dock Labour Board with effect from the afternoon of the 10th February, 1971 vice Brigadier R. J. Nerurkar and makes the following further amendment in the notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No S.O. 2930 dated the 20th August, 1968, namely:—

In the said notification, for the words and letters “Brigadier R. J. Nerurkar” in both places where they occur, the words and letter “Shri V. Srinivasachary” shall be substituted.

[No. 57/8/68-Fac. II/P & D.]

C. RAMDAS, Dy. Secy.

नई दिल्ली, 27 फरवरी, 1971

का० प्रा० 1055.—डाक कर्मकार (नियोजन का विनियमन) अधिनियम, 1948. (1948 का 9) की धारा 5-क की उपधाराओं (3) और (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा श्री बी० श्रीनिवासाचारी को ब्रिगेडियर आर० जे० नेहरूकर के स्थान पर 10 फरवरी, 1971 के अपराह्न से मर्मगाओ डाक श्रम बोर्ड के अध्यक्ष और सदस्य के रूप में एतद्वारा नियुक्त करती है और भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना संख्या का० प्रा० 2930, तारीख 20 अगस्त, 1968 में आगे निम्नलिखित संशोधन करती है, नामतः—

उक्त अधिसूचना में “ब्रिगेडियर आर० जे० नेहरूकर” शब्दों और वर्णों के, उन दोनों स्थानों में जहाँ वे आते हैं, स्थान पर “श्री बी० श्रीनिवासाचारी” शब्द और वर्ण का प्रतिस्थापन किया जायेगा।

[सं० 57/8/68-फैक०-2]

सी० रामदास,

उप उपचिव।

(Department of Labour and Employment)

New Delhi, the 25th February 1971

S.O. 1056.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Delhi in the industrial dispute between the employers in relation to the S. S. Light Railway Company Limited and their workmen, which was received by the Central Government on the 20th February, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL: DELHI.

PRESENT:

Shri R. K. Baweja, Central Government Industrial Tribunal, Delhi.

9th February, 1971

C.G.I.D. No. 10 of 1969

BETWEEN:

The Employers in relation to the S. S. Light Railway Company Limited.

AND

Their workmen.

Shri Harish Chandra—for the employers.

Shri J. D. Jain—for the workmen.

AWARD

The following industrial dispute existing between the aforesaid parties was referred to this Tribunal for adjudication by the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), by S.O. No. 2/32/69/LR/III, dated 29th November, 1969:—

“1. Whether the management of S. S. Light Railway Company Limited was justified in terminating the services of the following workmen from the 5th August, 1969.

- (1) Shri Charanjeet Lal Bhatla, Fireman, Saharanpur.
- (2) Shri Mohd. Ashiq, Electric Fitter, Saharanpur.
- (3) Shri Hafizuddin, Blacksmith, Saharanpur.
- (4) Shri Nathu Ram, Section Head, Superintendent's Office, Saharanpur.
- (5) Shri A. N. Singh, Depot Store Keeper, Saharanpur.

If not, to what relief are the workmen entitled?

2. Whether the management of S. S. Light Railway Company Limited was justified in stopping the increments for 3 years of Sarvashri Ram Chander, Clerk and N. C. Banerjee, Fireman? If not, to what relief are the workmen entitled?"

2. When the case came up today for hearing before me, an application was filed by Shri J. D. Jain on behalf of the workmen praying that a no dispute award be passed. Shri Harish Chandra who appeared on behalf of the employers had no objection to the passing of a no dispute award on the terms stated in the letters by which reinstatement of the workmen was ordered. I, therefore, pass a no dispute award accordingly.

-(Two pages)

9th February, 1971.

(Sd.) R. K. BAWEJA,
Central Govt. Industrial Tribunal: Delhi.

[No. 2/32/69/LRIII.]

New Delhi, the 26th February 1971

S.O. 1057.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Jaipur in the industrial dispute between the employers in relation to the Rajasthan Bank Limited and their workmen, which was received by the Central Government on the 23rd February, 1971.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, RAJASTHAN, JAIPUR

PRESENT:

Shri Gopal Narain Sharma.—Presiding Officer.

CASE NO. CIT-4 OF 1970

Ref.—Government of India, Ministry of Labour, Employment and Rehabilitation, Department of Labour and Employment, New Delhi Order No. 23/12/70/LI-I-III dated 23rd February, 1970.

In the matter of an Industrial Dispute.

BETWEEN

The Rajasthan Bank Employees Union, Jodhpur.

AND

The Rajasthan Bank Limited, Central Office, Johri, Jaipur.

APPEARANCES:

For the Union.—Shri R. L. Khandelwal.

For the Bank.—Shri M. M. Seth.

Date of Award: 11th February, 1971.

AWARD

This is a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 for the adjudication of a dispute between the Rajasthan Bank Limited, Jaipur and their employees represented by the Bank Employees Union, Jodhpur over the following matter:—

"Whether the action of the management of Bank of Rajasthan Limited in reverting Shri C. M. Sharma, temporary Godown-keeper employed at Beawar Branch of the Bank on 30th September, 1969 was justified? If not, to what relief is he entitled?"

It appears that one Shri C. M. Sharma was appointed as a Godown Keeper at Beawar with effect from 16th September, 1967, for three months for supervising the various Godowns of the customers of the said Bank. The appointment was purely on a temporary basis and the Bank had also reserved the right to transfer him to any place where the business of the Bank needed his services. The Bank's order No. 1/9/Estt/55/67 dated 26th September, 1967 is very clear on the point. His services were, however, extended from time to time upto 30th September, 1969, and in the meanwhile he was given 14 days notice earlier in terms of his appointment letter that as the work at Beawar had come to an end he shall be relieved

on 30th September, 1969. It appears that in the meanwhile the Central Office came to know that they need a temporary Godown-keeper on parties cost at C.T. Udaipur for a period of three months from 1st October, 1969. They, therefore, passed an order on 27th September, 1969 transferring Shri C. M. Sharma to C. T. Udaipur Branch after having been relieved from Beawar. Shri Sharma was relieved from Beawar on 30th September, 1969, afternoon. Next two days i.e. 1st and 2nd of October were Bank holidays and therefore Shri Sharma joined at Udaipur on 3rd October, 1969. On 10th October, 1969, the Bank however gave Shri Sharma a fresh appointment letter as Godown Keeper with retrospective effect from 3rd October, 1969, on basic salary. These facts are not disputed. The Union in their statement of claims submit that this order dated 10th October, 1969 giving him fresh appointment was illegal; that Shri Sharma was actually transferred in his capacity as Godown Keeper and therefore his basic pay should have been fixed at Udaipur taking into account his total service from 26th September, 1967.

The management of the Bank by their written statement submit that Shri Sharma's term expired on 30th September, 1969, at Beawar and he was relieved in accordance with the terms of first appointment order after a notice of 14 days and that it was his fresh appointment at Udaipur. They, therefore, submit that he could get only basic salary.

The Union relied on certain documents while the management of the Bank examined Shri J. S. Babel, General Manager of the Bank of Rajasthan Limited, Jaipur. I have heard both the sides and have also examined the entire record carefully. It cannot be disputed that Shri C. M. Sharma has been working as a Godown Keeper since 16th September, 1967. He was never reverted to his original post of Peon-cum-Farrash after that. It is quite true that he was originally appointed for Beawar and the work at Beawar came to an end on 30th September, 1969, and he was also given 14 days notice in terms of his appointment letter that he would be relieved from his post on 30th September, 1969, afternoon. But before that as the Bank had reserved the right to transfer him to any other place also where his services were needed, the Bank passed an order on 27th September, 1969 transferring him from Beawar to C. T. Udaipur Branch where he joined without any break in service. The contention of the management of the Bank that he was relieved from Beawar Branch and therefore his services came to an end is not correct. The very order dated 27th September, 1969 speaks of his transfer and not of his reversion. The order passed subsequently on 10th October, 1969, giving him a fresh appointment was entirely wrong. He shall be deemed to be in continuous service and entitled to all the benefits on the length of his service. I award accordingly.

(Sd.) GOPAL NARAIN SHARMA,
Presiding Officer,
Central Government Industrial Tribunal,
Rajasthan, Jaipur.
[No. 23/12/70/LRIIL]

ORDERS

New Delhi, the 16th February 1971

S.O. 1058.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the State Bank of Bikaner and Jaipur and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

SCHEDULE

"Whether the action of the management of State Bank of Bikaner and Jaipur, Calcutta in relieving Shri Satrugan Singh, of his duties as Cash Peon carrying a special allowance and transferring him to a post which did not carry special allowance with effect from the 25th June, 1970 is justified? If not, to what relief is he entitled and from what date?"

[No. 23/125/70/LRIII.]

आदेश

नई दिल्ली, 16 फरवरी, 1971

का० आ० 1058.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में स्टेट बैंक आफ बीकानेर एंड जयपुर से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित [करना] वांछनीय समझती है ;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधि-करण, कटकता को न्यायनिर्णयन के लिए निर्देशित करती

अनुसूची

"क्या स्टेट बैंक आफ बीकानेर एंड जयपुर, कलकत्ता के प्रबन्धतंत्र की 25 जून, 1970 से श्री शत्रुघन सिंह को नकदी चपरासी, जिसे विशेष भत्ता मिलता है, के रूप में उसके कर्तव्यों से मुक्त करने और उक्तका ऐसे पद पर, जिस पर विशेष भत्ता नहीं मिलता, स्थानान्तरण करने की कार्यवाही न्यायोचित है ? यदि नहीं, तो वह किस अनुतोष का और किस तारीख से हकदार है ।"

[सं० 23/125/70-एल० आर० 3]

New Delhi, the 26th February 1971

S. O. 1059.—Where the industrial disputes specified in the Schedule hereto annexed are pending before Thiru S. Swamikkannu, Presiding Officer, Industrial Tribunal Madras;

And whereas the services of Thiru S. Swamikkannu have ceased to be available;

Now therefore, in exercise of the powers conferred by section 7A, and sub-section (1) of section 33B of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Thiru K. Seetharan & Rao as the Presiding Officer with headquarters at Madras, withdraws the proceedings in relation to the said disputes from Thiru S. Swamikkannu and transfer the same to the said Industrial Tribunal, Madras, for the disposal of the said proceedings with the direction that the said Tribunal shall proceed with the proceedings from the stage at which they are transferred to it and dispose of the same according to law.

SCHEDULE

| Serial No. | Notification No. and date | Parties to the dispute |
|------------|---|---|
| 1 | 2 | 3 |
| 1 | 24/31/69/LRIII dated 10th December, 1969. | Workmen and the management of the National and Grindlays Bank Limited Madras. |

| 1 | 2 | 3 |
|---|---|--|
| 2 | 23/90/70/LRIII dated 10th December, 1970. | Workmen and the management of Indian Overseas Bank, Bhadra, Bombay. |
| 3 | 23/97/70/LRIII dated 31st December, 1970. | Workmen and the management of Indian Bank. |
| 4 | 40/1/70-LRI dated] 17th January, 1970. | R. Thiruvankataswamy and Divisional Manager, Vulcan Insurance Company Limited, Coimbatore. |

[No. L. 12025/1/71/LRIII]

S. S. SÁHASRANAMAN, Under Secy.

नई दिल्ली, 26 फरवरी, 1971

का० आ० 1059.—यतः इससे उपाबद्ध अनुसूची में विनिर्दिष्ट औद्योगिक विवाद थिर एस० स्वामीक्कन्नु, पीठासीन अधिकारी, औद्योगिक अधिकरण, मद्रास के समक्ष लम्बित है;

और यतः थिर एस० स्वामीक्कन्नु की सेवा उपलब्ध नहीं रही है;

अतः अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क और धारा 33ख की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी थिर के० सीतारामा राव होंगे जिनका मुख्यालय मद्रास में होगा, थिर एस० स्वामीक्कन्नु से उक्त विवाद से सम्बन्धित कार्यवाहियों को वापिस लेती है और उक्त कार्यवाहियों के निपटान के लिए उन्हें उक्त औद्योगिक अधिकरण, मद्रास को इस निर्देश के साथ अन्तरित करती है कि उक्त अधिकरण कार्यवाहियों को उस प्रक्रम से आरम्भ करेगा जिस पर वे उसे अन्तरित की गई हैं और विधि-अनुसार उनका निपटान करेगा।

अनुसूची

| क्रम सं० | अधिसूचना सं० और तारीख | विवाद के पक्षकार |
|----------|--|---|
| 1 | 24/31/60—एल आर II तारीख 10 दिसम्बर, 1969 | नेशनल और ग्रिन्डलेज बैंक लिमिटेड, मद्रास के कर्मकार और प्रबंधतंत्र |
| 2 | 23/90/70—एल आर III तारीख 10 दिसम्बर, 1970 | इंडियन ओवरसीज बैंक, भाद्रा, कन्नई के कर्मकार और प्रबंधतंत्र |
| 3 | 23/97/70—एल आर III तारीख 31 दिसम्बर, 1970 | इंडियन बैंक के कर्मकार और प्रबंधतंत्र |
| 4 | 40/(1)/70—एल आर I तारीख 17-1-1970 | आर० थिर बैंकटस्वामी और प्रभागीय प्रबंधक, वाल्कन इन्श्यूरेंस कम्पनी लिमिटेड, कोयम्बटूर |

[सं० एल० 12025/1/71—एल० आर० III]

एस० एस० सहस्रनामान, अवसर सचिव ।

(Department of Labour and Employment)

New Delhi, the 27th February 1971

S.O. 1060.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of East Jambad Colliery [Messrs Amalgamated Jambad Syndicate (Private) Limited], Post Office Kajoram, District Burdwan and their workmen, which was received by the Central Government on the 22nd February, 1971.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

REFERENCE NO. 64 OF 1970

PARTIES:

Employers in relation to the management of East Jambad Colliery [Messrs Amalgamated Jambad Syndicate Company (Private) Limited]

AND

Their workmen.

PRESENT:

Mr. B. N. Banerjee—Presiding Officer.

APPEARANCES:

On behalf of Employers—Shri Monoj Kumar Mukherjee, Advocate.

On behalf of Workmen—Shri S. N. Banerjee, Advocate.

STATE: West Bengal

INDUSTRY: Coal Mines.

AWARD

By Order No. 6/74/70-LRII, dated December 2, 1970, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) referred the following industrial dispute between the employers in relation to the management of East Jambad Colliery (Messrs Amalgamated Jambad Syndicate Company (Private) Limited) and their workmen, to this Tribunal, for adjudication, namely:

“Whether the management of East Jambad Colliery [Messrs Amalgamated Jambad Syndicate (Private) Limited], Post Office Kajoram, District Burdwan are justified in not paying Variable Dearness Allowance at the rate of Rs. 1.53 per day with effect from the 1st April, 1970 in accordance with the recommendations of the Central Wage Board for Coal Mining Industry as accepted by the Government of India in their resolution No. WB-16(5)/66, dated the 21st July, 1967? If not, to what relief are the workmen entitled?”

2. Both the parties filed their respective written statement. Thereafter, they themselves settled their dispute and to-day, the date fixed for peremptory hearing, parties filed a joint petition of compromise therein embodying the terms of settlement. Now that the parties have settled their dispute, I pass an award in terms of the settlement. Let the petition of settlement form part of this award.

Date,

February 17, 1971.

(Sd.) B. N. BANERJEE,
Presiding Officer.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 64 CF 1970

In the matter of an Industrial Dispute

BETWEEN

Employers in relation to the management of East Jambad Colliery. [Messrs. Amalgamated Jambad Syndicate Private Ltd.], Post Office Kajoragram, District Burdwan.

AND

Their Workmen, represented by Colliery Mazdoor Congress (H.M.S.), Bengal Hotel, Asansol, District Burdwan.

AND

In the matter of Government of India, Ministry of Labour, Employment and Rehabilitation (Department of Employment and Labour) Order No. 6/74/70-LR.II, dated 2nd December, 1970.

The humble joint petition of the parties abovenamed in the aforesaid matter most

Respectfully Sheweth:

1. That the aforesaid industrial dispute is pending adjudication before this learned Tribunal and to-day i.e. the 17th February, 1971 is fixed for hearing of the same.

2. That the parties have in the meantime come to an amicable settlement of the said dispute on the following terms and conditions:

A. That the employers in relation to the management of East Jambad Colliery [Messrs. Amalgamated Jambad Syndicate (P) Ltd.], hereby agree to pay to the workmen the difference of variable dearness allowance to all the eligible workmen in the following manner:

- (i) From 1st October 1970 to 31st July, 1971 @ Rs. 1.62 per day.
- (ii) The amount already paid @ Rs. 1.29 per day to eligible workmen from 1st October 1970 to 31st January 1971 will be deducted from the same.
- (iii) The management shall not reduce the rate from Rs. 1.62 per day of variable dearness allowance during the rest of the period i.e. upto 31st July 1971 even if it goes down on account of fall in cost of living index.
- (iv) The management shall, however, pay variable dearness allowance at increased rate if the cost of living index goes up.
- (v) The arrear amount for the period from 1st October 1970 to 31st January 1971, as indicated in clauses (i) and (ii) above shall be paid in four monthly instalments beginning from April, 1971 and ending in July, 1971 and the management shall pay @ Rs. 1.62 per day from 2nd February, 1971.

3. That the terms aforementioned are reasonable and just.

4. That the petitioners shall suffer irreparable loss and injury if this learned Tribunal does not pass an Award in terms of the aforesaid settlement.

In the circumstances stated above, amongst others, the petitioners jointly pray that this learned Tribunal may be graciously pleased to pass an Award in terms of the settlement.

And the petitioners, as in duty bound, shall ever pray.

Dated,

The 17th February, 1971.

For the Employers.

For Amalgamated Jambad Syndicate Private Ltd.

(Sd.) Illegible,

Special Officer,

Appointed by Hon'ble High Court Calcutta.

For the Workmen.

(Sd.) Illegible.

Joint Secretary,

Colliery Mazdoor Congress (H.M.S.) Asansol.

S. M. BANERJEE,

Advocate.

17.2.71.

MONOJ KUMAR MUKHERJEE
Advocate.
17.2.71.

[No. 6/74/70-LR.II.]

New Delhi, the 1st March 1971

S.O. 1061.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of Shri K. Sharan, Regional Labour Commissioner (Central), Asansol and Arbitrator, in the industrial dispute between the management of New Damagoria Colliery of Messrs New Damagoria Coal Company Private Limited, Post Office Salanpur, District Burdwan, West Bengal and their workmen which was received by the Central Government on 23rd February, 1971.

**BEFORE SHRI K. SHARAN, REGIONAL LABOUR COMMISSIONER (C),
ASANSOL AND ARBITRATOR**

PRESENT :

Shri K. Sharan, Regional Labour Commissioner (C), Asansol and Arbitrator

PARTIES:

Employers in relation to New Damagoria Colliery of M/s. New Damagoria Coal Company Private Limited, Post Office Salanpur, District Burdwan.

Vrs.

Their workmen.

APPEARANCES:

For employer—Shri P. N. Chaturvedi, Chief Personnel Officer.

For workmen—Shri Sunil Sen, Organising Secretary, Colliery Mazdoor Sabha (AITUC) G. T. Road, Asansol.

INDUSTRY: Coal Mine.

DISTRICT: Burdwan (West Bengal).

Asansol, the 18th February, 1971

No. E. 1/1(10)/69

AWARD

The Central Government, having received on the 22nd December, 1969 a written agreement dated the 18th December, 1969 between the employers in relation to New Damagoria Colliery of M/s. New Damagoria Coal Company Private Limited, Post Office Salanpur, District Burdwan (hereinafter referred to as the management) and their workmen represented by the Colliery Mazdoor Sabha (AITUC), G. T. Road, Asansol (hereinafter referred to as the union) in pursuance of sub-section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) referring the industrial dispute between them, the specific matters in dispute being as detailed below, to my arbitration and the Central Government being of the opinion that the industrial dispute referred to above existed between the management and their workmen, ordered publication of the said arbitration agreement in the Gazette of India, Part II, Section 3, sub-section (ii) under its Order No. 8/117/69. LRII dated the 7th January, 1970:

Specific matters in dispute:

“Keeping in view the financial position of New Damagoria Colliery of M/s. New Damagoria Coal Company Private Limited, Post Office Salanpur, District Burdwan (West Bengal) and the recommendations of the Central Wage Board for the Coal Mining Industry as accepted by the Government of India in their Resolution No. WB.16(5)/66 dated 21st July, 1967 what should be the rate of dearness allowance with effect from 1st October, 1969 payable to the workmen employed at New Damagoria Colliery?”

2. After obtaining written statements of both parties I had fixed several dates for hearing but on all those dates both parties requested for adjournment. Both parties had filed agreements extending the dates by which I could give my award. As per the last agreement signed by both parties on 23rd December, 1970 I am to give my award latest by 28th February, 1971. Adjournments were sought by both parties mainly on the ground that they were having mutual discussions with a view to arriving at an amicable settlement. Finally I had fixed hearing on 25th January, 1971. On that date Shri Sunil Sen, Organising Secretary, Colliery Mazdoor Sabha (AITUC), Asansol was present on behalf of the workmen but none was present on behalf of the management. However, the representative of the

workmen filed a joint petition duly signed by the representatives of both parties on 20th January, 1971. The relevant extract of the joint petition referred to above is reproduced below:—

“The representatives of both parties respectfully submit as under:—

That the parties have agreed to discuss the instant industrial dispute mutually with a view to arriving at an amicable settlement and as such withdraw the instant industrial dispute from arbitration.”

3. The parties had voluntarily agreed to refer the instant industrial dispute to my arbitration and they have voluntarily withdrawn the same from arbitration since they intended to amicably settle the instant industrial dispute. In the event of failure of bilateral negotiations the workmen will be at liberty to raise a fresh industrial dispute and seek remedy under the provisions of the Industrial Disputes Act, 1947.

4. In the circumstances, I allow the parties to have mutual discussions with a view to amicably settling the instant industrial dispute to the satisfaction of both parties as early as possible but in any case not later than one month from the date of publication of this award and in the event of failure of bilateral negotiations the workmen employed at New Damagoria Colliery of M/s. New Damagoria Coal Company Private Limited shall be at liberty to take recourse to such remedy as may be open to them under the Industrial Disputes Act, 1947 or any other relevant Act.

5. The Arbitration award is made accordingly and submitted to the Central Government under Section 10A(4) of the Industrial Disputes Act, 1947.

(Sd.) K. SHARAN,

Regional Labour Commissioner (C), Asansol and
Arbitrator.

[No. 8/117/69-LR.II.]

New Delhi, the 4th March 1971

S.O. 1062.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal (No. 2), Dhanbad in the industrial dispute between the employers in relation to the management of the Indian Iron and Steel Company Limited, Gua and their workmen, which was received by the Central Government on the 25th February, 1971

**BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO 2)
AT DHANBAD.**

PRESENT:

Shri Nandagiri Venkata Rao, Presiding Officer.

REFERENCE NO. 13 OF 1970

In the matter of an industrial dispute under Section 10(1)(d) of the Industrial Disputes Act, 1947.

PARTIES:

Employers in relation to the management of the Indian Iron and Steel Company Limited, Gua

AND

Their workmen.

APPEARANCES:

On behalf of the employers—Shri M. K. Mukherjee, Advocate.

On behalf of the workmen.—Shri R. K. Kanth, General Secretary, Gua Mine Workers Union.

STATE: Bihar.

INDUSTRY: Iron Ore

Dhanbad, the 17th February, 1971

AWARD

The Central Government, being of opinion that an industrial dispute exists between the employers in relation to the management of the Indian Iron and Steel Company Limited, Gua and their workmen, by its order No. 8/22/70/LR-IV dated 28th October, 1970 referred to this Tribunal under Section 10(1)(d) of the Industrial Disputes Act, 1947 for adjudication the dispute in respect of the matters specified in the schedule annexed thereto. The schedule is extracted below:—

SCHEDULE

"Whether the existing scheme of supply of foodgrains and the cash value charged in pursuance of the same by the management of Gua and Manoharpur Ore Mines of Indian Iron and Steel Company Limited, Post Gua relating to the workmen employed at Gua and Manoharpur Iron Ore Mines is fair and justified? If not, to what relief the workmen are entitled and from what date?"

2. On 3th February, 1971 parties filed a compromise memo and the same was duly verified. As per the compromise the settlement has been arrived at between the parties in respect of the dispute under reference. Having gone through the terms of the settlement I find them equitable and for the benefit of workmen. The settlement is, therefore, accepted and the award is made in terms of the settlement and submitted under Section 15 of the Industrial Disputes Act, 1947. The settlement is annexed herewith and made part of the award.

(Sd.) N. VENKATA RAO,
Presiding Officer.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO 2,
DHANBAD.

REFERENCE NO. 13 OF 1970

Employer in relation to the Management of M/s. Indian Iron and Steel Company Limited, Gua.

AND

Their Workmen represented by Gua Mine Workers Union.

The humble joint petition of the parties abovenamed most respectfully sheweth:—

1. That the parties have mutually settled the disputes out of which the instant reference arises on the following terms:—

- (a) It is agreed that the Company will arrange for sale of foodgrains to the workers of Gua and Chiria (Manoharpur) Mines through approved retail merchants. The Company will invite tenders on annual basis from foodgrain sellers to quote prices for sale of foodgrains to the workers at fixed price throughout the year.
- (b) The Company agrees that the supply of foodgrains in respect of a family will be on the following scale—
 - (i) Adult Worker.—3.265 kilogramme (equivalent of 3 srs. 8 ch.) per week;
 - (ii) Dependant Wife.—2.448 kilogrammes (equivalent of 2 srs. 10 ch.) per week; and
 - (iii) Two dependant children, (below 12 years of age).—1.224 kilogrammes (equivalent of 1 sr. 5 ch.) per week per child.
- (c) In case the wife of any worker is also worker, she will be treated not as a dependant wife but as an "Adult Worker" for the purpose of clause (b) above.
- (d) The rate of sale of above quantities will be at the average rate of Rs 1.20 per Kg. or rate quoted by the suppliers, whichever is lower.
- (e) The workers, to meet their additional requirement of foodgrains, if any, will be free to purchase rice from the approved shop at tendered rate or from the market, according to their choice.
- (f) This agreement will come into effect on and from 1st February, 1971 at Gua Ore Mines and as early as possible but not later than 1st April, 1971 at Manoharpur Ore Mines.

2. That the parties shall bear their own costs in this reference

3. This also settles the dispute raised by the Union as per Clause 3 para 5 of Wage Board Implementation Agreement dated 4th November, 1967 re: value of foodgrains concession.

In the circumstances it is prayed that the Hon'ble Tribunal be pleased to pass an Award in terms of the above settlement, making this petition as a point of the Award.

And as in duty bound the parties shall ever pray.

Representing Employer:

R. M. SENGUPTA,

Group Manager—Personnel Department,
Representing Employer

Representing Workmen:

R. B. KANTH—General Secretary,
Gua Mines Workers' Union.

B. L. VERMA,
Chief Mining Engineer.

M. K. MUKHERJEE,
Advocate,

8-2-71.

[No. 8(22)/70-LR-IV.]

ORDERS

New Delhi, the 24th December, 1971

S.O. 1063.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Bankola Colliery of Messrs Burrakur Coal Company Limited, Post Office Ukhra, District Burdwan, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

SCHEDULE

“Whether the management of Bankola Colliery of Messrs Burrakur Coal Company Limited, Post Office Ukhra, District Burdwan was justified in stopping the work of Shri Sk. Akbar, a Cleaning Mazdoor from 29th June, 1970?

If not to what relief the workman is entitled?”

[No. 6/83/70-LR.II.]

आवेष

नई दिल्ली, 24 दिसम्बर 1970

क्रा० आ० 1063.—यतः केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स बुराकुर कोल कम्पनी लिमिटेड, डाकघर उखरा, जिला बर्दवान की बंकोला कोलियरी के प्रबन्धन में सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्दिष्ट करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधि-करण, कलकत्ता को न्यायनिर्णयन के लिए निर्दिष्ट करती है।

अनुसूची

“क्या मैसर्स मुराकुर कोल कम्पनी लिमिटेड, डाकघर उखरा, जिला बदवान की बंकोला कोलियरी के प्रबन्धन का श्री शेख अकबर, सफाई मजदूर को 29 जून 1970 से काम रोकना न्यायोचित था ? यदि नहीं, तो कर्मकार किस अनुतोष का हकदार है ?”

[सं० 6/83/70-एल० आर०-2]

New Delhi, the 4th February 1971

S.O. 1064.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Madhuband Colliery of Messrs Oriental Coal Company Limited, Post Office Nudkhurkee, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2), Dhanbad, constituted under Section 7A of the said Act.

SCHEDULE

“Whether the management of Madhuband Colliery of Messrs Oriental Coal Company Limited, Post Office Nudkhurkee, District Dhanbad, was justified in refusing employment to Sarvashri Ram Narayan Gope and Dajinath Gope, Miners, with effect from the 20th September, 1970? If not, to what relief are the workmen entitled?”

[No. 2/203/70-LRII.]

नई दिल्ली, 4 फरवरी 1971

का० आ० 1064.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स ओरियंटल कोल कम्पनी लिमिटेड डाकघर नुदखुर्की जिला धनबाद की मधुबंद कोलियरी के प्रबन्धन से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उक्त विवाद को उक्त अधिनियम की धारा 7-क के अधीन गठित केन्द्रीय सरकार औद्योगिक अधिकरण (सं० 2) धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या मैसर्स ओरियंटल कोल कम्पनी लिमिटेड, डाकघर नुदखुर्की, जिला धनबाद की मधुबंद कोलियरी के प्रबन्धन का सर्वश्री राम नारायण गोप और वैजनाथ गोप खनिकों को 20 सितम्बर 1970 से रोजगार देने से इन्कार करना न्यायोजित था ? यदि नहीं, तो कर्मकार किस अनुतोष के हकदार हैं ?”

[सं० 2/203/70-एल० आर०-2]

New Delhi, the 26th February 1971

S.O. 1065.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Kustore and Alkusa South Collieries of Messrs Raneegunge Coal Association Limited, Post Office Kustore, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, (No. 2) Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

“Whether the action of the management of Kustore and Alkusa South Collieries of Messrs Raneegunge Coal Association Limited, Post Office Kustore, District Dhanbad, in stopping Shri Md. Anil Tindal Mazdoor and Shri Military Prasad, Electrical Helper, from work with effect from the 7th March, 1970 was justified? If not, to what relief are these workmen entitled?”

[No. 2/90/70-LR.II.]

KARNAIL SINGH, Under Secy-

नई दिल्ली, 26 फरवरी, 1971

का० प्र० 1065.—यतः केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स रानीगंज कोल एसोसियेशन लिमिटेड, डाकघर कुस्तोर, जिला धनबाद की कुस्तोर एण्ड अलकुसा साऊथ कोलियरीज से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा उक्त विवाद को उक्त अधिनियम की धारा 7क के अधीन गठित केन्द्रीय सरकार औद्योगिक, अधिकरण, (सं० 2) धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

अनुसूची

“क्या मैसर्स रानीगंज कोल एसोसियेशन लिमिटेड, डाकघर कुस्तोर, जिला धनबाद को कुस्तोर एण्ड अलकुसा साऊथ कोलियरीज के प्रबन्धकों को श्री मुहम्मद अनिस, टिडल मजदूर और श्री मिलिटरी प्रसाद, इलेक्ट्रिकल हेल्पर को 7 मार्च, 1970 से काम से रोकने की कार्यवाही न्यायोचित थी? यदि नहीं, तो ये कर्मकार किस अनुतोष के हकदार हैं?”

[सं० 2/90/70-एल० प्रार०-2]

करनैल सिंह, अवर सचिव।

(Department of Labour and Employment)

(WE—Section)

New Delhi, the 1st March 1971

S.O. 1066.—Whereas the Central Government is of the opinion that the minimum rates of Wages should be fixed under the Minimum Wages Act, 1948 (11 of 1948), in respect of fire clay mines covered under the Mines Act, 1952 (35 of 1952);

Now, therefore, in exercise of the powers conferred by section 27 of the said Act, the Central Government hereby gives notice of its intention to add the said employment to part I of the Schedule to the said Act.

Any suggestion or objections which may be received from any person in respect of the said addition before the 5th June, 1971 will be considered by the Central Government.

[No. LWI-1-2(31)/67-WE(MW).]

HANS RAJ CHHABRA, Under Secy,

(श्रम और रोजगार विभाग)

नई दिल्ली, 1 मार्च, 1971

का० प्र० 1066.—यतः केन्द्रीय सरकार की राय है कि खान अधिनियम, 1952 (1952 का 35) के अन्तर्गत आने वाली अग्निमहिमिटी की खानों की बाबत मजदूरी की न्यूनतम दरें न्यूनतम मजदूरी अधिनियम, 1948 (1948 का 11) के अधीन नियत की जानी चाहिएं।

अतः, अब, उक्त अधिनियम की धारा 27 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा उक्त अधिनियम की अनुसूची के भाग 1 में उक्त नियोजन को जोड़ने के अपने आशय की सूचना देती है।

उक्त जोड़ने के बारे में जो आक्षेप या सुझाव किसी व्यक्ति से 5-6-1971 से पूर्व प्राप्त होंगे उन पर केन्द्रीय सरकार विचार करेगी।

[एल० डब्ल्यू०आई० 1-2(31)/67-डब्ल्यू०ई० (एम० डब्ल्यू०)]

हं : राज छ.बड़ा, अवर सचिव।

(Department of Labour and Employment)

New Delhi, the 1st March 1971

S.O. 1067.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the management of Calcutta Port Commissioners, Calcutta and their workmen, which was received by the Central Government on the 9th February, 1971.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

REFERENCE No. 44 OF 1970

PARTIES:

Employers in relation to the management of Calcutta Port Commissioners, Calcutta.

AND

Their Workmen

PRESENT:

Mr. B. N. Banerjee—Presiding Officer.

Appearances:

On behalf of Employers—Shri G. V. Karlekar, Labour Adviser.

On behalf of Workmen—Shri Patit Pabod Pathak, on behalf of the C.P.C. Shore Mazdoor Committee.

Shri Prasanta Kumar Datta, on behalf of Calcutta Port and Dock Workers Union.

STATE: West Bengal.

I

INDUSTRY: Port.

AWARD

By Order No. 28/89/69-Fac. II/P&D, dated September 4, 1970, the Government of India, in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), referred the following dispute between the employers in relation to the management of Calcutta Port Commissioners, Calcutta and their workmen, to this Tribunal, for adjudication, namely:

"Whether the demand for the supply of uniforms made by the shore cargo handling workers of Calcutta Port Commissioners, is justified?

If so, what are the broad principles on the basis of which uniforms may be given to such workmen and what are the categories of workmen to whom uniform should be supplied and what should be type of uniforms to be supplied to each such category, the nature and quality of the clothing material of such uniforms and the scale and periodicity of supply of such uniforms?"

2. Copies of the Order of Reference were forwarded by the Ministry to the C.P.C. Shore Mazdoor Committee and to the Calcutta Port Shramik Union. Calcutta Port Shramik Union did not participate in the reference. After the C.P.C. Shore Mazdoor Committee had filed their written statement, another trade union of the name of Calcutta Port and Dock Workers Union moved an application for being added as a party to this Reference. The said application was not opposed either by the Calcutta Port Commissioners or by the C.P.C. Shore Mazdoor Committee. This Tribunal allowed the application. The Calcutta Port and Dock Workers Union also filed a written statement.

3. The claim made by the shore cargo handling workers for uniforms was sought to be resisted by the Calcutta Port Commissioners and in the written statement filed, it was pleaded as hereinafter summarised in brief. The background in which the present reference was made, was, it was alleged, that the C.P.C. Shore Mazdoor Committee had submitted a charter of demand, dated November 14, 1969, and in the said charter of demand, amongst other demands, there was a demand that uniforms be supplied to the shore mazdoors in the same manner as other categories of workers were being supplied. The demand for uniforms was, it was pleaded, temporarily settled on the following terms, by an agreement dated December 7, 1969:

"As regards the issues about supply of uniforms it is agreed that discussions will start at once under the auspices of the Regional Labour Commissioner (Central), Calcutta and if not ended locally, recommendations for referring the dispute with regard to both these issues to an Industrial Tribunal will be sent to the Government within a fortnight. Government has already been alerted and has agreed to expedite its decision."

That is how the present reference came to be made, according to the written statement.

4. In paragraphs 4 and 5 of the written statement, reference was made to an award made by Sri A. Das Gupta in Reference No. 1. of 1956 (published in Gazette of India Extraordinary, Part II Section (iii), dated January 30, 1958) and the principles laid down in that award were invoked. In paragraphs 6 and 7 of the written statement it was pleaded as follows:

"(6) That the Commissioners, prior to the publication of the said Award of the Central Government Industrial Tribunal, were supplying to their employees free uniforms on the basis of the principles evolved by them. They since the said award became enforceable, reviewed the whole position in respect of the free supply of uniforms to their employees on the basis of the above-mentioned principles laid down under the Award of the said Industrial Tribunal. * * * * *

(7) That the shore cargo handling workers of this Port mentioned under the schedule in the instant reference are commonly known as 'shore workers' comprising of primary gangs and secondary gangs or in other words 'A' category and 'B' category workers respectively. The Commissioners have since 7th December, 1969, promoted all the 'B' category workers to 'A' category. There are at present 6728 Porters and 163 Sirdars in 'A' category. These workers are not granted any uniforms as they are not covered under the principles laid down by the Industrial Tribunal at paragraph 5 above. However, to safeguard them against cold in winter (which is never severe in Calcutta)

the Porters are given a woollen jersey and Sardars a woollen serge coat every 3 years."

In paragraphs 8, 9 and 10 of the written statement, reference was made to another award given by a National Tribunal presided over by Sri Kamla Sahai in Reference No. 1 of 1968, in which the learned Tribunal agreed that the principles laid down by Shri Das Gupta were sound and held that those were broad principles on which uniforms should be given to the workers of Madras Dock Labour Board. Basing arguments on the opinion of the two awards it was contended that since the shore cargo handling workers were not covered by any of the above-mentioned two awards, nor by the principles enunciated therein, there was no case for supply of uniforms to the shore cargo handling workers of the Calcutta Port Commissioners.

5. The relevant portion of the written statement filed by the C.P.C. Shore Mazdoor Committee are hereinafter summarised. In paragraph 2 of the written statement attempt was made to explain the categories of workmen who were included under the generic description of shore cargo handling workers. The said paragraph is set out below:

"That the present dispute relates to about 8000 workmen comprising the following categories:

- (a) Sirdars and Porters of all 'A' Category Gangs,
- (b) Departmental Porters,
- (c) Monthly non-operational Porters, (MNOP),
- (d) Cleaning Gangs Porters (CNOP),
- (e) Female Muster Gang Porters (FMG), and
- (f) Light Duty Porters."

In paragraph 3 of the written statement, it was admitted that Sirdars and Porters of all 'A' category gangs were piece-rated cargo handling workers and were required to handle all types of cargo in connection with landing, shipping, loading, unloading and re-stacking. It was said that their job involved accident, hazard and also handling of obnoxious cargo such as, chemicals, ores, coal, sulphur, cement, carbon black, etc. Apart from involving risk and hazard, it was alleged the work soiled the clothings of the workmen, damaged them and reduced their normal life. With regard to departmental porters, it was pleaded, they were monthly-rated workmen and also required to handle cargo apart from other jobs involving risk and occupational hazard. In respect of monthly non-operational porters, cleaning gang porters, female muster gang porters and light duty porters it was alleged that they were required to perform various jobs which exposed them to risk and other occupational hazards. In paragraphs 4 and 5 of the written statement it was pleaded:

"(4) That at present these workmen have to work with their conventional dress, dhuti or lungi and such other items which they also use when they are not on duty. Such dresses being loose, expose the workmen to risk of accident while handling various types of cargo with varied contents and sizes, tackled by cranes upto 200 Ton capacity and other mobile equipments and due to the same, the accidents are too often.

(5) That in addition to the above, there is another difficulty which is also no less serious. In the Port area there are other workmen, other than those under the Commissioners for the Port of Calcutta, and it is very difficult to distinguish them the workmen covered by the instant reference."

In paragraph 7 of the written statement, it was pleaded that principles enunciated in the award by Sri A. Das Gupta, in Reference No. 1 of 1956, were fully attracted in cases of workmen mentioned in paragraph 2 of the written statement (herein-before quoted). According to this trade Union the workmen's claim for uniform was just and reasonable and refusal on the part of the Port Commissioners was illegal, unfair and unjust.

6. I have already said that the added party, namely, the Calcutta Port and Dock Workers Union also filed a written statement. In that written statement there is no case pleaded to the effect that over and above A category workmen, other categories of workmen need also be included in the description 'shore cargo handling workers'. I set out hereinbelow paragraph 3 of the written statement:

"That among the cargo handling shore workers, 'A' category piece-rated workers of all the sections are denied with supply of full uniform despite the above-mentioned principles"

In paragraph 5 of the written statement, there is a description of the number, quality and types of uniform which are supplied to other categories of workmen by the Port Commissioners. The said paragraph is set out below:

"(5) That the uniforms are supplied at the following description, quantity and period of renewal to the eligible categories, other than piece-rated 'A' category labour:

(Summer)

Khaki Cellular Shirt.—2 Nos. every year.

Khaki Drill Slacks.—2 Nos. every year.

Khaki Drill Cap.—1 No. every year.

(Winter)

Blue Serge Coat.—1 No. every alternate year.

Blue Serge Slack.—1 No. every alternate year.

Khaki Drill Cap.—1 No. every alternate year."

It is, however, admitted that A category labour gets one blue serge woollen jersey each in every three years. In paragraph 7 of the written statement, there is a claim made that there should not be any discriminatory practice against 'A' category workmen and they should also be supplied with uniform. In paragraph 8 of the written statement, there is a special case pleaded for Sirdars of each gang of piece rated 'A' category workmen and it is claimed that they should be supplied with coat both for summer and winter instead of shirt and jersey along with slacks. In paragraph 10 of the written statement, the number and periodicity of supply of uniform is stated in the following language:

"That the equality of the uniforms should be such that it can last the full period that it is expected to serve. Two sets of summer uniforms has been experienced to be inadequate and as such it should be supplied three sets per annum similarly winter clothing should be supplied bi-annually—once in two years, instead of three years."

7. In the background of these pleadings. I have to decide the points referred to this Tribunal for adjudication.

8. It appears that the principles behind supply of uniform was enunciated by Sri A. Das Gupta in Reference No. 1 of 1956 (Employers in relation to the Port Commissioners, Calcutta and their workmen), published in Gazette of India, Extraordinary, Part II Section (III) dated January 30, 1958. Those principles are set out hereinbelow:

"At an earlier stage, the industrial tribunals proceeded very cautiously in the matter of granting uniforms. Uniforms were allowed only to such workmen as were required, in course of their duty, to come in contact with the public, and such grant of uniforms was prompted by a consideration that uniforms to such workmen such as peons, durwans, motor car drivers would not only enhance the prestige of the employers but would also assist publicity of industry. Gradually the Tribunals became more liberal in their views and have extended uniforms to other categories of workmen. The accepted principles, as they stand to-day on which uniforms are granted to workmen are:

- (1) Those who come in touch with the public in course of their duties.
 - (a) those who from the employers' point of view should present a smart appearance and thereby maintain the prestige of the employers;
 - (b) those who require some identification for easy access to the place of their work and peaceful execution of their work.
- (2) Those whose works require a particular type of dress for their safety against any risk involved in such works.
- (3) Those whose nature of work soil their clothes and reduces their life."

In a later award given by Sri Kamla Sahai presiding over the National Industrial Tribunal at Dhanbad in Reference No. 1 of 1968 (Madras Dock Labour Board vs. its workmen), the following passage appears.

"There is no dispute between the parties about the principles which should govern a case of free supply of uniforms. It seems that there was a reference bearing No. 5 of 1956, between the Port Trust of Calcutta and their workmen. The question was whether free uniforms should be supplied to the crews of the Chief Engineer's flotilla, consisting of dredgers, launches, barges and salvage section boats. The reference was made to Shri A. Das Gupta, the then Presiding Officer of the Central Government Industrial Tribunal, Calcutta. In his award he first referred to the fact that Industrial Tribunals proceeded in the first instance very cautiously in the matter of grant of free uniforms and allowed them only to those workmen who came into contact with the public so that their uniforms could enhance the prestige of their employers and would further assist in giving publicity to the industry. He then observed as follows:

The accepted principles, as they stand today, on which uniforms are granted to workmen are:

- (1) Those who come in touch with the public in course of their duties:
 - (a) those who from the employers' point of view should present a smart appearance and thereby maintain the prestige of the employers;
 - (b) those who require some identification for easy access to the place of their work and peaceful execution of their works.
- (2) Those whose work require a particular type of dress for their safety against any risk involved in such works.
- (3) Those whose nature of work soil their clothes and reduce their life."

I wish also to quote another observation which Shri Das Gupta made. It is as follows:

"It is true that a healthy wage structure contains the element of clothing of a worker with the standard family of three consumption units including the worker himself and dearness allowance purports to compensate the rise in price. Free supply of uniforms is not intended as a financial assistance to a worker where there is no abnormal wear and tear of their clothes, but if the nature of work of a worker is such as soils his clothes and reduces the normal life, it is just fair that the employers should compensate the workers so that the workers are not driven to extra expenditure for their clothing and the real value of their wages are not thereby reduced."

The parties appearing before me fully agreed with me that the principles laid down by Shri Das Gupta are sound and that they should be adhered to. I, therefore, hold that these are the broad principles on the basis of which uniforms should be given to the workmen of the Madras Dock Labour Board."

Now, a principle, which has stood the test of time for over a decade, is not to be ignored. But Industrial jurisprudence often radically changes, particularly in a country which is a developing country, determined to function as a Welfare State. Therefore, a principle, however appropriate at any time, cannot aspire to stand for ever, without modification. Thus, in the principle quoted above, emphasis on employers' prestige value, in a democratic country, such as ours, need not be wholly ignored but also need not be over-emphasized. The days of resplendent liveries and golden tassels are now over. Uniforms should be smart and useful, and they should not be too costly. Identifying dresses are no doubt necessary in some cases for example, for the army or for the police. I agree with the first principle enunciated by Shri Das Gupta subject to the observations hereinbefore stated. With regard to the second principle, I fully agree therewith so far as it goes but would like to add thereto the following words at the end, namely, "and for easy and comfortable discharge of their work" under the present day social conditions of labour. The third principle as enunciated is unobjectionable and I respectfully adopt the same.

9. Having thus broadly dealt with the principles behind the supply of uniforms to workmen, I need, at this stage, clear the ground of one question over which much dispute exists, namely, which are the categories of workmen who should be included under the descriptive name 'Shore cargo handling workers of the Calcutta Port Commissioners'. According to the contention raised on behalf of the Port

Commissioners, in their written statement and also in their argument before this Tribunal, it was only 'A' category workers who came under the description of shore cargo handling workers, as used in the order of Reference. In this context Mr. Karlekar invited my attention to the following passage from Port And Dock Workers Report of an Enquiry into Demands of Labour by P. C. Chaudhuri, I.C.S. (at page 165 of the Report):

- "10. The total number of all shore workers in the direct employment of the Port authorities in Bombay, Calcutta and Madras as reported by them, is 13,569, excluding 'C' category workers of Bombay and Madras and R. E. E. gangs in Calcutta whose total number is approximately 7,755. Of the three categories in Bombay Port, 'A' category mazdoors have been decasualised, while 'B' and 'C' category mazdoors are casuals. In Bombay they are paid in accordance with a scheme for payment of piece rates laid down in an Award of the Labour Appellate Tribunal, Bombay, implemented with effect from the 3rd March, 1956. Time rate is also paid for handling certain types of cargo such as iron and steel. The order of priority of employment is 'A', 'B' and 'C'. The Primary Gangs in Calcutta Port are a permanent labour force of whom 1,624 are time-rated labour on Rs. 30— $\frac{1}{2}$ —35 p.m. and 6,201 Primary labour on piece rates. The Ticca or Secondary workers are casuals, divided into Cargo Docks Ticca labour and Coal Docks Ticca labour. The third category called the Regional Employment Exchange Gangs, is also casual. The order of priority of booking of this labour force is Primary gangs, Cargo Ticca Labour, Coal Ticca labour and R. E. E. gangs in cargo Docks and Jetties; and Primary Gangs and Coal Ticca Gangs in Coal Docks. In Madras Port, of the three categories, 'A' is permanent, 'B' is semi-permanent, while 'C' category consists of registered casuals. Here 'A' and 'B' category workers are employed in the first two shifts and the casuals in the third shift."

It was admitted before me by both the parties that primary and secondary workers were respectively known also as 'A' and 'B' category workmen. Mr. Karlekar argued that prior to December 7, 1969, there were changes effected amongst the Primary and Secondary gangs of cargo workmen in Calcutta and 'B' category workers were all promoted to 'A' category and 'B' category was abolished. The result was that the strength of 'A' category workmen was augmented to 6,727 porters and 463 Sardars. The Shore Mazdoor Committee, however, wanted to add to this body about 811 more workmen from the categories known as departmental porters, monthly non-operational porters, cleaning gang porters, female muster gang porters and light duty porters.

10. According to the oral evidence led on behalf of the management, the argument made by Mr. Karlekar that the expression "shore cargo handling workers" is exclusively limited to 'A' category workmen has not been substantiated. Ajit Ranjan Mukherjee, Assistant Superintendent of Traffic, witness for the management, in course of his examination in chief stated: 'A' category workmen and monthly rated departmental workmen (the latter when called upon) actually handle cargo". In course of his cross-examination he further said:

"In heavy lift yard, both A category workmen and monthly rated departmental workmen work. By operational work, I understand loading and unloading to and from ships and lorries and wagons. By non-operational work I understand works like sweeping the tracks, sweeping the godown of shed floors, etc. Monthly non-operational workmen also carry on sweeping work. This work is also done by Casual non-operational porters. Female muster gang workmen also perform non-operational duties. Light duty porters carry on such duties like office peons, etc. for the period recommended by doctors."

11. On behalf of the workmen, Krishna Kanta Roy Ganguly, a Shed Clerk, gave evidence. He stated in course of his examination in-chief:

"Shore cargo handling workers include, (i) A category workers, (ii) departmental porters, (iii) Monthly rated non-operational porters, (iv) Cleaning gang porters, (v) Female gang monthly porters and (vi) Light-duty porters. Monthly rated non-operational porters and female gang monthly rated porters also handle cargo because they collect loose cargo and rebag them, if necessary; therefore, I include them in the category of Shore cargo handling workers. The departmental porters also handle cargoes. Light-duty porters also perform the jobs which are usually performed by female porters and monthly rated non-operational porters. In course of their work the cargo handling workers have to handle cargoes marked 'hazardous'."

In course of this cross-examination, however, he made a little modification of his statement in examination-in-chief and admitted:

"The work done by A category workmen is not done by Monthly rated non-operational porters. So also, the other categories of workmen spoken of by me do not perform the nature of work performed by the A category workmen. Unless the condition of duty of other categories of workmen be changed they cannot be made to work the same type of work as done by A category workmen. There is difference between operation and non-operational work. I do not know what is exactly meant by Operational work."

He further admitted that Sardars do not handle cargo but merely supervise the handling. The next witness examined on behalf of the workmen was Indradeo Mali. He stated in his examination-in-chief.

The departmental porters also work with us side by side. We are piece rated workmen but the departmental workers are monthly rated workmen. Our works are supervised by Sardars. Tindals supervise over works of the departmental workers."

I need refer to one other witness examined on behalf of the workmen, namely, Satyendra Kumar Mondal, a Jetty clerk. He also admitted that Sardars do not handle cargo.

12. After the evidence on behalf of the management was led, Mr. Karlekar in his fairness, took up the position that the category of workmen, known as departmental porters may be, in a sense treated as shore cargo handling workers, although they couple their cargo handling duty along with other duties. With regard to the other categories, however, he was not prepared to make any concession.

13. So far as monthly non-operational porters, the cleaning gang porters and female muster gang porters are concerned, I need not trouble myself with the contradictory type of oral evidence led before me. There were certain documentary evidence exhibited on behalf of the management. Those were the duty charts of monthly non-operational workers (Ex. 4) and of monthly-rated female workers (Ex. 6). The correctness of those exhibits were not disputed before me. Ex. 4 shows that monthly non-operational workers collect loose articles and fill and stitch them in bags in sheds and also help and work as coal khalsas at coal docks. Ex. 6 shows that monthly-rated female workers do work in collecting loose articles and filling them in bags in the sheds. Ex. 5 deals with casual non-operational porters. That does not prescribe any cargo handling work. Further, it is nobody's case that these workmen should also be included amongst shore cargo handling workmen. So far as cleaning gang porters are concerned, they clean the godowns and the tracks for goods movement but do not do any cargo handling work.

14. Now, to "handle" means to manipulate or to hold or to move with the hand. "Cargo" means goods a ship carries. Therefore, literally the expression "shore cargo handling workmen" means workmen who manipulate goods carried or to be carried by ships so long as the goods are on the shore. I have to add, however, that manipulation is now aided largely by machines, such as, cranes, fork lifts, etc. I include machine aided cargo handling operations also within the expression 'cargo handling'.

15. It is true that workmen who keep storage godowns or sheds clean or the goods movement tracks clean and clear of obstructions and filthy garbage materially aid handling of cargo but neither of the two operations should be included within the expression 'cargo handling' not being directly or closely connected with handling of cargo. I, therefore, exclude cleaning gang porters altogether from the category of shore cargo handling workers.

16. Light-duty porters admittedly do not handle cargo. This category is composed generally of workmen, disabled or weakened in course of duty, who, on medical advice, must not do vigorous work. Light-duty porters are thus composed of men who may have been heavy duty workmen in the past, but are disabled for the time being and, if sufficiently recovered, entitled to rejoin heavy duty work. But so long as they remain as light duty porters, they do not handle cargo and therefore are outside the expression 'shore cargo handling workmen'. So far as the remaining categories are concerned, namely monthly non-operational porters and female muster gang porters, it appears from the documentary evidence filed by the management itself, namely, Ex. 4 and 6, that part of their duty comprise of cargo handling. So, they are partly cargo handling workmen although not wholly so. I am of the opinion that by the expression 'shore cargo handling

workmen'. It was not meant to include only workmen whose exclusive duty was to handle cargo. The expression must be large enough to include workmen part of whose duty comprise of cargo handling.

17. In the result, I hold that over and above 'A' category workmen, departmental porters, monthly non-operational porters and female muster gang porters are included within the expression 'shore cargo handling workmen'.

18. I have now to turn again to the question of principle on which uniform should be granted, if at all, to these workmen. One of the principles laid down by Shri A. Das Gupta in his Award, adopted even by Mr. Karlekar appearing for the Port Commissioners, was that uniform should be granted to workmen whose nature of work soils their clothing and reduces their life. Now, if I turn to the evidence of Ajit Ranjan Mukherjee, Assistant Superintendent of Traffic, who was examined by the Port Commissioners, I find that he admitted, that "during the course of their work, the work may soil their clothings". So also is the evidence of Kail Kanta Roy Ganguly, witness No. 1 examined for the workmen. He said, 'their clothings suffer wear and tear in course of their work'. Thus, at least one of the principles enunciated by Shri A. Das Gupta is admittedly attracted in the case of shore cargo-handling workers. Mr. Karlekar no doubt argued that Mr. Das Gupta's Award dealt with uniforms and rain coats for class IV employees and Mr. Kamla Sahai's Award dealt with free supply of uniform to Madras Dock Labour Board. He contended that none of the two awards considered the case of shore cargo-handling workmen and nothing contained in the two awards should be made applicable to them. This argument is of no substance. The two awards unanimously laid down certain principles of industrial jurisprudence behind supply of uniforms to workmen. Those principles are, however, of general application and are not delimited to class IV workmen or to Dock Labour Board workmen. There was little dispute raised against the principles as laid down. I have accepted those principles in bulk, save for some modifications therein introduced by me. These principles, in my opinion, apply equally to all workmen wherever employed in industrial undertakings and in whichever capacity. Mr. Karlekar next argued that nothing contained in the principles applied to shore cargo-handling workmen, regard being had to the nature of work performed by them. I have already held that principle No. 3, as enunciated by Shri A. Das Gupta, is attracted to the shore cargo-handling workmen on a correct analysis of the evidence led even by the Port Commissioners.

19. In my opinion, there are other reasons also why the claim made on behalf of the shore cargo-handling workmen for uniforms may be justified. Sakti Kumar Mukherjee, Senior Deputy Controller of Stores, in the Stores Department of Calcutta Port Commissioners deposed before this Tribunal. He admitted that they were porters working in the stores and he further admitted:

"These workers will not go and work in the docks for loading and unloading. These workers are supplied with uniforms. They are supplied with uniforms for the purpose of identification, when they go outside with our bazar sircars.

To Tribunal.

They are supplied with winter uniform as well as summer uniform. Summer uniform consists one Khaki cellular shirt and one khaki drill slack two such set per head are supplied to the porters each year and also are supplied with one cap each. Winter uniform consists of one blue serge coat, one blue serge slack in addition to khaki cap. These are supplied every alternate year."

Another witness examined on behalf of the Port Commissioners, namely Ajit Ranjan Mukherjee, Assistant Superintendent of Traffic stated: 'Crane drivers get uniforms. Peons get uniform'. Krishna Kanta Roy Ganguly, witness on behalf of the workmen also stated:

"There are other employees working under the Port Commissioners who get uniforms. Porters loading and unloading cargo to and from lorries under the department of Controller of Stores get uniforms. The khalasis working in offices also get uniforms."

If porters in the Stores godowns get uniforms, there is no reason why shore cargo handling porters should not be supplied with uniforms. There is also no reason why crane drivers should get uniforms and not shore cargo-handling porters.

20 At the invitation of the parties, I visited several sites where shore cargo handling workers work. I found them working at about mid-day, at the beginning

of the month of December, in tucked up dhuties and lungis and a 'genji' undergarment covering the upper part of their body. That is also the evidence of Dr. Nandy, the Deputy Chief Medical Officer. Some of the places where these workmen were working were full of dust, namely, where ores were being unloaded from wagons for loading into ships or heds where grains were being pumped or sucked out of ships and dumped on the ground. There is no dispute that in the coal dock area workers have to work in dust-laden atmosphere. It is true that the workers are not to carry goods either on their heads or on their back; they are largely assisted by cranes, fork-lifts and mechanised vehicles in the movement of cargo. But handling of large bags or packings, scrap metals, iron beams and joists, ores, etc., should not be done while putting on loose garments such as dhuties and lungis, however carefully they may be gathered up. Such garments may get loose, retard movement and expose workmen to risks of physical injury while lifting heavy loads. I have already expressed the view that workmen should work clad in that particular type of dress which may make the discharge of their duties easy and comfortable. It is one of the principles of social justice that an employers should always try to observe, particularly in respect of heavy duty workmen. I do not mean to say that authorities of the Port of Calcutta have been wholly unmindful of this principle. It gave me utmost pleasure to find that the workmen were being aided by modern mechanised devices, such as, power-operated cranes and fork-lifts, etc., for the easy discharge of their duty. I was also told that the workmen were supplied with Nosepads, while working in dust laden atmosphere. Gum boots and Rubber gloves while handling acids and other corrosive materials and Leather gloves while moving sharp edged cargo like scarp metals. It also appears from the evidence of medical witnesses, who deposed before me that occupational diseases were not noticeable amongst workmen. I need not however, bother with the sufficiency or otherwise of the supply of these protective equipments because they form no part of uniforms. In this view I am covered by an observation by the Supreme Court in *D. C. M. Commercial Works Vs. its workmen*, (1962) I.L.L.J. 388 (399). Even then, I cannot shut my eyes to the fact that these workmen are labouring clad in garments wholly unsuited to the nature of their jobs. Dhuties and lungis are not put on tightly tucked high up, so as to reduce their dangling length. Put on in the manner in which they are ordinarily done, they dangle upto ankle or a little above and are otherwise quite comfortable garments for ordinary wear but not suitable for busy work, necessitating quick movement of the limbs. When, however, gathered up tightly, high above the thighs, they are wholly uncomfortable garments and present an unrepresentable site. What is more, the manner in which they are tucked up make them good deal unsafe. Often these garments, hurriedly gathered up, get loose and begin uncomfortably to dangle in the midst of work, exposing the workmen to the risk of being tripped up and getting injured. I am, therefore, of the opinion that in order to make the working conditions of the workmen easy and comfortable, they should be supplied with either shorts or tight-fitting trousers of durable materials and of colours which do not easily look dirty or soiled.

21. In that view of the matter, I hold that the demand for supply of uniforms made by the shore cargo handling workers of Calcutta Port Commissioners is justified and that is how I answer the first part of the schedule to the order of reference.

22. Coming now to the second part of the schedule to the order of reference, I have already dealt with broad principles on the basis of which uniforms may be given to such workmen, in paragraph 8 hereof. I have also specified the categories of workmen who should be included in the general description of "shore cargo handling workers" in paragraph 17 hereof and those are the categories of workmen who should be supplied with uniforms.

23. Turning now to the questions what should be the type of uniforms to be supplied to each such category, the nature and quality of clothing materials of such uniforms and the scale and periodicity of supply of such uniforms, my view is that they should be supplied with the following types of uniforms during summer and winter:

Summer

Khaki or Blue Jean shirts.—Two pieces each per year.

Khaki or Blue Jean shorts.—Two pieces each per year.

Winter

Thick Khaki or blue flannel —One piece each every alternate year.
or serge shirts.

Khaki or blue serge full trousers.—One piece each every alternate year.

The above prescription is for male workmen. Sirdars of male workmen are also to be supplied with uniforms like other male workers but they should get a Khaki Cap in addition, as a distinguishing mark. So far as female workers are concerned, they should be supplied during summer and winter uniforms as hereunder stated:

Summer

Blue sharees 5½ yards long and 46 inches wide two pieces each.

White long-cloth chemise or blouses and Petticoats two pieces each.

Winter

Blue sharees 5½ yards long and 46 inches wide two pieces each.

White long-cloth chemise or blouses and Petticoats two pieces each.

One blue woollen Cardigan type sweater every alternate year.

My above view is based on types of uniform, which are in practice supplied to certain categories of workmen in the Port.

24. Now-a-days it is difficult to prescribe a fixed price for such uniforms because prices are constantly spiralling up. Salil Kumar Mukherjee, a Senior Deputy Controller of Stores, deposed about the last purchase prices of certain garments purchased by him. That part of the evidence is set out in the schedule hereto and may be treated as part of this award. The prices should be in the region of those prices with such alternation as the market conditions may require.

25. In the result, my award is as follows:

- (a) That the demand for the supply of uniforms made by the Shore Cargo Handling Workers of Calcutta Port Commissioners is justified.
- (b) The broad principles on the basis of which uniforms may be given to such workmen have been stated in paragraphs 8, 18, 19, 20 and 23 hereof.
- (c) The categories of workmen to whom uniform should be supplied has been answered in paragraph 17 hereof.
- (d) The types of uniform to be supplied to each such category, the nature and quality of the clothing material of such uniforms and the scale and periodically of supply of such uniforms have been answered in paragraphs 23 and 24 hereof.

This is my award.

Sd./- B. N. BANERJEE,
Presiding Officer.

Dated, January 27, 1971.

Schedule as mentioned in paragraph 24 of the Award

| Item | Size | Total costs |
|-----------------------------|------------------|-------------|
| Khaki Drill slacks | Medium size | 5.50 |
| Do. | Large size | 6.00 |
| Do. | Extra large size | 6.26 |
| Do. | To measurement | 5.73 |
| Blue drill slacks | All sizes | 4.52 |
| White drill slacks | All sizes | 5.22 |
| Blue drill boiler suits | Do. | 6.73 |
| Khaki drill half pants | Do. | 4.23 |
| Blue drill boiler halfpants | Do. | 3.26 |
| Khaki Cellular shirts | Medium size | 4.20 |
| Do. | Large size | 4.44 |
| Do. | Extra large size | 4.59 |
| Do. | To measurement | 4.35 |
| Blue drill shirts | All sizes | 4.88 |
| White drill coats | Do. | 6.50 |

| Item | Size | Total costs |
|--|--|---------------|
| Blue drill coats | Do. | 5.72 |
| White drill slacks | Do. | 6.00 |
| Khaki Bush type coat | Do. | 7.62 |
| <i>Warm Clothing</i> | | |
| Blue Serge slacks | Medium sizes | 28.70 |
| Do. | Large sizes | 29.30 |
| Do. | Extra large sizes | 29.82 |
| Do. | To measurement | 29.56 |
| Blue Serge coats | Medium size | 36.65 |
| Do. | Large size | 37.26 |
| Do. | Extra large size | 38.30 |
| Do. | To measurement | 38.30 |
| Blue Surge Bush type coat | Complete garment | 47.42 |
| Blue woollen Jersey | Plain type round neck ful. sleeves varying between 34 to 40 | 14.19 Each |
| Category—I Female attendance under Medical Officer | <p>Summer—White cloth Saree—$5\frac{1}{2}$ Yds. 46" wide with plain black border at the rate of 2 pieces every summer. Two pieces Every winter, i.e. 4 pieces per year. Last purchase price was Rs. 8.70 each.</p> <p>In addition we issue two pieces white long cloth chamise every summer and another two pieces every winter, i.e. 4 pieces per year. Last purchase price was Rs. 4.88 each.</p> <p>Winter—We issue one blue woollen jersey Cardigan type every alternate year. Last purchase price for the same is Rs. 31/- each.</p> | |
| Category-II Female sweepers of hospital | <p>Two pieces blue cloth saree $5\frac{1}{2}$ Yds. 46" wide with border at the rate of two pieces every summer and two pieces every winter i.e. 4 pieces per year. Last purchase price is Rs. 10.25 each.</p> <p>In addition we issue blue long cloth chamise two pieces every summer and another two pieces every winter, i.e. 4 pieces per year. Last purchase price is Rs. 5.30 each.</p> | |
| Category III Sweepers of Health Office | <p>We issue two pieces white saree cloth every summer and two pieces in every winter—$5\frac{1}{2}$ Yds. long and 46" wide, i.e. 4 pieces per year. Last purchase price is Rs. 8.70 each.</p> <p>In addition white long chamise two pieces every summer and two pieces every winter total 4 pieces per year at the rate of Rs. 4.88 each.</p> <p>One blue woollen jersey Cardigan type every alternate year. Last purchase price Rs. 31.90 each.</p> | |

[No. 28/89/69-Fac.II/P & D.]

New Delhi, the 2nd March 1971

S.O. 1068.—In pursuance of Section 17 of the Industrial Disputes Act, 1947, (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to Messrs. Java Bengal Line, Calcutta and their workmen, which was received by the Central Government on the 17th February, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
DHANBAD

In the matter of a reference under section 10(1) (d) of the Industrial Disputes Act, 1947.

REFERENCE NO. 66 OF 1968

PARTIES:

Employers in relation to Messrs Java Bengal Line, Calcutta.

AND

Their Workmen

PRESENT:

Shri A. C. Sen, Presiding Officer.

APPEARANCES:

For the Employers—None.

For the Workmen—None

STATE: West Bengal

Dhanbad, dated the 9th February, 1971.

INDUSTRY: Dock.

AWARD

An industrial dispute between the above parties as specified in the following schedule was referred to this Tribunal by the Government of India, Ministry of Labour, Employment and Rehabilitation, (Department of Labour and Employment) by its Order No. 28(61)/68-LR/III dated 30th August, 1968.

SCHEDULE

"Whether the following demands of the Delivery Clerks employed by Messrs Java Bengal Line, Calcutta, are justified? If so at what rate and in what manner?

- (1) Grant of pay Scale of Rs. 325—15—425—20—625;
- (2) Dearness Allowance;
- (3) Provident Fund;
- (4) Privilege Leave, sick leave, casual leave;
- (5) Tiffin allowance;
- (6) Conveyance allowance;
- (7) Interim relief as recommended by the Central Wage Board for Port and Dock Workers.
- (8) Overtime allowance;
- (9) Gratuity."

2. The Order of the Ministry was received by this Tribunal on 18th September, 1968. Statement of claim on behalf of the union was filed on 15th November, 1968. Written statement on behalf of the employers was filed on 3rd December, 1968.

3. A joint petition of compromise was filed on 7th September, 1970. From the petition of compromise it transpires that the dispute has been amicably settled by the parties out of Court. The terms and conditions on which the dispute has been settled appear to be reasonable and I don't find any reason not to accept them. Let an award be made on the terms and conditions contained in the said petition of compromise. Let the petition of compromise form part of the award. Let a copy of the award be submitted to the Central Government under section 15 of the Act.

(Sd.) A. C. SEN, Presiding Officer.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 2
DHANBAD

REFERENCE NO. 66 OF 1968

In the matter of an Industrial Dispute by Order of Reference No. 28(61)/68-LR/III.

Dated, the 30th August, 1968

BETWEEN

Messrs. Java Bengal Line, 5 & 7, Netaji Subhas Road, Calcutta-I.

AND

Their Workmen represented by—

Shipping Employees' Union, 38, Hemchandra Street, Calcutta-23.

The humble petition of the Company and the Union representing the concerned workmen Most Respectfully Sheweth:—

I. That the above industrial dispute is pending before the hon'ble Tribunal and no Award has yet been made by this hon'ble Tribunal.

II. That both parties have come to an overall amicable settlement regarding all their disputes as follows:—

1. That Shri D. J. Castillo and Sri B. Mazumdar two casual employees will voluntarily retire from the Company's service from the date of signing of this Settlement, and they will be paid an *ex-gratia* payment of Rs. 3,000 each in full and final settlement of all their claims against the Company, including Wage Board recommendations. If, however, these two casual employees wish to join the "Pool" after their voluntary retirement, then the Company will recommend/send their names also to the authorities of the Board under the Scheme for their absorption.

2. That the four casual employees, Messrs. D. N. Mukherjee, B. C. Lahiri, B. C. Samanta and R. R. Ghose, will be treated as if they are in the Company's casual employment on and from 1st May, 1970 for the purpose of retrenchment compensation, provident fund and gratuity as and when the same will be applicable to them either by an award, statute, settlement and/or otherwise and their past casual services before 1st May, 1970 will not be taken into account as stated above. The Company will, however, take into consideration their past casual service for recommending to the authorities concerned to enable them to join the "Pool".

3. That the four casual employees concerned will be given 12 shifts minimum guaranteed wages per month at the first shift rate, even when there is no work available to them.

4. That these four casual employees concerned will also get 4 days' roster off per month with wages at the first shift rate.

5. That these four casual employees concerned will also get 15 days' privilege leave, 17 days medical leave and 4 days' casual leave per annum with wages at the first shift rate.

6. That these four casual employees will also get holidays with pay for those non-working holidays in the port.

7. That these four casual employees will be eligible to the same per centage of bonus for the accounting year 1st January, to 31st December, 1969 and every subsequent year as will be paid to other employees of the Company, working at the Head Office at Dalhousie Square or on board the ship in the Docks.

8. That these four casual employees will report to the Company's office at Dalhousie Square every working day even when there is no posting for them but once posted they will be intimated while on duty for their subsequent posting from the Company.

9. That until the wage board's recommendation is finalised by the authorities concerned, these four casual employees will get Rs. 13 for the first shift and Rs. 14 for the second and third shifts. It is further agreed that the wage board's recommendation as finally decided will be given effect by the Company on and from 1st May, 1970. These four casual employees concerned will not be entitled to any benefits under the wage board's recommendations before 1st May, 1970. The difference in wages daily rate per shift as per this Settlement and that of the wage board per shift of wages as finally decided, will be paid within three months after the final decision is accepted by the authorities. It is also agreed between the parties that the wage per shift will be arrived at as follows, i.e. the wages per month (basic, dearness allowance, interim relief, city compensatory allowance and house rent allowance) as per wage board's recommendation will be divided by 30 days and one day's wage will represent the wages for one shift. If, however, the Dock Labour Board at any time recommends that the divisor will be 26 days instead of 30 days then the Company will follow the same procedure from that date of the recommendation. Further, these four casual employees will not be entitled to receive more than the following wages i.e. (a) 12 shifts and (b) four days roster off in a month. To take an example, suppose 'A' in terms of this Settlement is to get Rs. 13 per shift and multiplying it by 16 as stated above the amount comes to Rs. 208 per month and if the wage board's recommendation as finally accepted decides that the employees of category six (6) grade should get Rs. 395 per month then 'A' will not get the difference, i.e. Rs. 187 extra per month. But if 'A' works more than 12 shifts in a month then 'A' will get for each extra shift over and above 12 shifts extra wages at the rate of Rs. 13 or

Rs. 14, as the case may be. It is understood by both parties that if under Wage Board recommendation as finally accepted by the authority, the wage per shift is increased to more than Rs. 13, these four casual employees will be accordingly entitled to the same for 12 guaranteed minimum shifts and 4 days roster off.

10. The workers shall work two consecutive shifts a day as and when necessary and requested by the management but they will not be compelled to work three shifts consecutively in a day. Moreover none of these casual employees will work more than 9 shifts in a week or more than 33 shifts in a month, unless so required by the Company.

11. That these four casual employees will join the 'Pool' as soon as the same is formed and starts functioning i.e. since the date of functioning of the 'Pool' under the Scheme these four casual employees will be deemed as if left the Company's services voluntarily.

12. That the Company as a good gesture and in consideration of this Settlement will pay Rs. 1,750—as an *ex-gratia* payment to Messrs. D. N. Mukherjee and B. C. Lahiri each and Rs. 1,500—as an *ex-gratia* payment to Messrs. B. C. Samanta and R. R. Ghose each, within one week of this settlement.

13. That for the purpose of 'continuous service' the actual work put in by these four casual employees and also leave, roster off and port closed holidays will be considered and not the other days for which without work they may be paid by the Company as minimum guaranteed wage in terms of this Settlement.

14. The Company agrees to maintain attendance Register and pay vouchers.

15. It is further agreed between the parties that the other issues which are not covered by this settlement but have been referred to the Central Government, Industrial Tribunal No. I, Dhanbad, by order of Reference No. 28(61)/68-R III dated 30th August, 1968 shall be deemed to have been dropped/withdrawn by the union/casual Employees and will not be raised/demanded by them during the currency of this settlement.

16. This Settlement will bind the parties for three years from the date of filing before the Central Government Tribunal at Dhanbad.

III. It is prayed that an 'Award' may be made in terms of the above Settlement.

And for this act of kindness your petitioner as in duty bound shall ever pray.

Java Bengal Line

(Sd.) Illegible.

Joint Secretary.

(Sd.) ROBERT BARENDSEN,
General Agent

(For Shipping Employees).

(Sd.) S. E. C. ALPHONSO

Line Manager,
Java Bengal Line

Dated 7th September, 1970.

[No. 28/61/68-LR III/P&D.]

S.O. 1069.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to Messrs Butterworth and Farmer (Master Stevedores), Calcutta and their workmen, which was received by the Central Government on the 25th February, 1971.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT
DHANBAD

In the matter of a reference under section 10(1) (d) of the Industrial Disputes Act, 1947.

REFERENCE No. 49 OF 1968

PARTIES:

Employers in relation to Messrs Butterworth and Farmer (Master Stevedores), Calcutta

AND

Their Workmen

PRESENT:

Shri A. C. Sen, Presiding Officer.

APPEARANCES:

For the Employers—None.

For the Workmen—None.

STATE: West Bengal

INDUSTRY: Dock

Camp: Calcutta, dated the 15th Febrary, 1971

AWARD

By an order No. 28/25/68-LR/III dated 15th June, 1968, the Government of India, Ministry of Labour, Employment and Rehabilitation, (Department of Labour and Employment) has referred the following dispute to this Tribunal for adjudication.

SCHEDULE

"Whether the management of Messrs Butterworth and Farmer Calcutta, was justified in retrenching Sarvashri P. F. Manuel, Madan Mohan Mohanty and Jay Gopal Das from the 16th January, 1968"

If not, to what relief are the workmen entitled"

2. This order was received from the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) on 4th July, 1968. Written statement on behalf of the employers as well as the written statement on behalf of the workers were filed on 4th December, 1968. It is not necessary to enter into the merits of the case because three applications have been filed on different dates stating that the dispute between the employers and the concerned workmen has been settled out of Court. The first of such application was filed on 7th November, 1970. It was signed by the employers on the one hand and by one of the concerned workmen, namely, Sri Madan Mohan Mohanty on the other. In paragraph 1 of the said application it is stated that the dispute has been settled amicably between the employers and workman Sri Madan Mohan Mohanty out of Court. In the second paragraph, it is stated that the workman concerned has been paid his dues in full and final settlement of his claim as detailed below and that he has got no further claim or dispute against the Company in any manner. From the details of payment, it appears that Sri Madan Mohan Mohanty has received a sum of Rs. 1,660.70 P from the employers in full and final settlement of his claim against his employers.

3. A prayer was made in the petition that an order be passed to record the settlement and a settlement award in terms of this settlement may please be given.

4. Two other applications similar in nature were also filed on the 4th of January, 1971, one by Sri Jay Gopal Das and another by Sri P. F. Manuel, the other two concerned workmen. In both the applications it has been stated that the dispute has been amicably settled out of Court and that the concerned workmen has got no other claim or dispute against the employers in any manner. From these two applications it appears that Sri Jay Gopal Das has received Rs. 1,606.68 P and P. F. Manuel has received Rs. 2,602.90 P in full and final settlement of their claim against the employers. In these two petitions also there is a prayer to give an award in terms of the settlement.

5. From what has been stated above, it is clear that the entire dispute has been settled out of Court. That being the position, I record a no dispute award in the matter. Let a copy of the award be sent to the Ministry under section 15 of the Act.

(Sd.) A. C. SEN, Presiding Officer.

[No. 28/25/68-LR.III/P&D.]

AJIT CHANDRA, Under Secy.

(Department of Labour and Employment)

New Delhi, the 2nd March 1971

S.O. 1070.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Central Government Industrial Tribunal, Rajasthan, Jaipur, in the industrial dispute between the employers in relation to Associated Stone Industries (Kota) Limited, Ramganjmandi and their workmen, which was received by the Central Government on the 22nd February, 1971.

CENTRAL GOVERNMENT, INDUSTRIAL TRIBUNAL, RAJASTHAN, JAIPUR

PRESENT,

Shri Gopal Narain Sharma—Presiding Officer.

CASE No. CIT-8 OF 1969

Ref.—Government of India, Ministry of Labour and Employment New Delhi
Order No. 36/47/67-LR.I dated 29th January 1969.

In the Matter of an Industrial Dispute.

BETWEEN

The Rashtriya Mazdoor Sangh, Ramganj Mandi

AND

The Associated Stone Industries Limited, Ramganj Mandi.

Date of Award:

26th December, 1970.

AWARD

The Central Government by its order dated the 29th January, 1969 referred the following dispute between (1) M/s Associated Stone Industries (K) Limited, Ramganj Mandi, (2) Shri Ramji Dass, Ram Richpal, Quarry Owner Modak Station, Kota (3) Shri Motilal Chedilal Quarry Owner, Modak, Kota (4) M/s. Raj Flooring Stone Company, Ramganj Mandi, (5) M/s. PIR Khan Chand Khan, Modak, Kota, (6) M/s. United Stone Company, Modak Kota, (7) Purvi Sahkari Shramik, Teka Pushan Udyog, Sahkari Samiti Limited, Kota and (8) West Suket Labour Contractors Society Limited Suket, Kota and their workmen to this Tribunal for adjudication:—

“Whether the demand of the Rashtriya Mazdoor Sangh, Ramganjmandi, Rajasthan, for the linking of the dearness allowance with the cost of living indices as recommended by the Mathur Committee (Expert Committee on consumer price indices for industrial workers in Rajasthan and linking of dearness allowance with consumer price indices appointed by the Government of Rajasthan) and the payment of dearness allowance on the basis of the cost of living indices from April, 1966, to the workmen employed in the mines of the managements mentioned in Schedule I above is justified? If so, what should be the quantum of dearness allowance and from what date, should it be payable?”

A part award in respect of (1) M/s. Associated Stone Industries (K) Limited, Ramganjmandi, (2) M/s. Ramjiddass Ram Richpal Quarry Owner, Kota, (3) M/s. Raj Flooring Stone Company, Ramganjmandi, (4) M/s. United Stone Company, Modak, Kota, (5) Purvi Sahkari Shramik Teka Pushan Udyog Sahkari Samiti, Limited, Kota and (6) West Suket Labour Contractors Society Limited Suket, Kota has already been passed on 21st February, 1969 and proceedings in respect of M/s. Motilal Chedilal Quarry Owner, Modak, Kota and M/s. Peer Mohammed Chand Khan Modak, Kota were continued.

उप सचिव के अपने कार्यों के अलावा उक्त अधिनियम द्वारा या उसके अन्तर्गत पंजाब राज्य की सभी अर्जित निष्क्रान्त सम्पत्तियों के बारे में उप मुख्य बन्दोबस्त आयुक्त के कार्यों को करने के लिए उप मुख्य बन्दोबस्त आयुक्त के रूप में नियुक्त करती है।

[सं० 3(1)/एल० आर०/71]

S.O. 1078.—In exercise of the powers conferred on the Chief Settlement Commissioner by Section 34(2) of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), he hereby delegates to the Deputy Secretary in the Rehabilitation Department of the Punjab Government, exercising the powers of the Auth: Chief Settlement Commissioner, his powers under Rules 87 and 88 for the disposal of all aquired evacuee properties in the State of Punjab, forming part of the compensation pool.

[No. 3(1)/LRT/71.]

एस० ओ० 1078—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 34(2) द्वारा मुख्य बन्दोबस्त आयुक्त को प्रदत्त शक्तियों का प्रयोग करते हुए वे इसके द्वारा पंजाब सरकार के पुनर्वास विभाग में प्राधिकृत मुख्य बन्दोबस्त आयुक्त की शक्तियों का प्रयोग करने वाले उक्त उपसचिव को अधिनियम की धारा 87 तथा 88 के अन्तर्गत पंजाब राज्य में मुआवजा पूल की सभी अर्जित निष्क्रान्त सम्पत्तियों को निपटाने के लिए अपनी शक्तिया प्रदान करते हैं।

[सं० 3(1)/एल०आर०/71]

S.O. 1079.—In exercise of the powers under Section 34(2) of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Chief Settlement Commissioner hereby delegates to the Settlement Officer (Accounts) in the Rehabilitation Department of the Punjab State, exercising the powers of Auth: Settlement Commissioner, his powers under Section 30(?) of the said Act for the purpose of passing necessary orders under this Section in respect of persons from whom dues under the said Act are recoverable.

[No. 3(25)/LR/70.]

W. G. PATHAK,
Chief Settlement Commissioner &
Ex-Officio Jt. Secy.

का० आ० 1079—विस्थापित व्यक्ति (प्रतिकर तथा पुनर्वास) अधिनियम, 1954 (1954 का 44) की धारा 34(2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मुख्य बन्दोबस्त आयुक्त ने पंजाब सरकार के पुनर्वास विभाग में प्राधिकृत बन्दोबस्त आयुक्त की शक्तियों का प्रयोग करने वाले बन्दोबस्त अधिकारी (लेखा) को उन लोगों के विषय में आदेश देने के लिये जिनसे बकाया धन उपर्युक्त अधिनियम की धारा 30(2) के अधीन प्राप्त करना है, उक्त धारा के अन्तर्गत अपनी शक्तिया प्रदान कर दी हैं।

[संख्या 3(25)/एल०आर०/70]

वा० ग० पाठक,
मुख्य बन्दोबस्त आयुक्त,
एवं पदेन संयुक्त सचिव।

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अब्दुल हकीम, रहीम बक्श, रहमानबक्श,
नादर बक्श, हबीबबक्श वल्द करीमबक्श
बराबर बराबर एक हिस्सा तथा मुसम्मात्
फजल-उल-निसा वल्द रहीम बक्श ।

जका उल्ला-अता उल्ला, शमसुद्दीन वल्द बरकत
उल्ला बराबर 2 हिस्से एक हिस्सा अब्दुल-
रशाक वल्द बलम्बरबक्श एक हिस्सा और
मुसम्मात् भरयम बाई वल्द नूर मुहम्मद
एक हिस्सा, लतीफ-उल-रहमान एक हिस्सा
अब्दुल खालिक, अब्दुल हक वल्द अब्दुल्ला
बराबर 2 हिस्से एक हिस्सा फजल
उद्दीन रहमान वल्द अब्दुल रहमान
एक हिस्सा अकरम-उद्दीन वल्द नवाब
अहमद, जिया-उद्दीन वल्द सुधरा दीन
बराबर एक हिस्सा । शमसुद्दीन वल्द हेंदर
बक्श एक हिस्सा । शेरू सादीगू जा कि
मन्जी मण्डी दिल्ली वाला है ।

[सं० 29(1)/कोम्प तथा परीप/71]

जानकी नाथ,

बन्दीबस्त आयुक्त, (सी) तथा पदेन अवर सचिव ।

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 24th February 1971

S.O. 1077.—In exercise of the powers conferred by Sub-Section (1) of Section 3 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints the Deputy Secretary in the Rehabilitation Department of Government of Punjab, as Deputy Chief Settlement Commissioner, for the purpose of performing, in addition to his own duties as Deputy Secretary, Rehabilitation Department, Government of Punjab, the functions assigned to a Deputy Chief Settlement Commissioner by or under the said Act, in respect of all acquired evacuee properties in the State of Punjab, forming part of the compensation pool.

[No. 3(1)/LRT/71]

(मुख्य बन्दीबस्त आयुक्त का कार्यालय)

(पुनर्वासि विभाग)

नई दिल्ली, 24 फरवरी, 1971

एस० श्री० 1077.—विस्थापित व्यक्ति (प्रतिफल तथा पुनर्वासि) अधिनियम, 1954 (1954 का 44) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, पंजाब सरकार के पुनर्वासि विभाग में उप सचिव को पंजाब सरकार के पुनर्वासि विभाग में

(पुनर्वासि विभाग)

(मुग बन्दोबस्त प्राप्ति का कार्यालय)

नई दिल्ली, 22 फरवरी, 1971

एस० नो० 1076.—जैसा कि केन्द्रीय सरकार की यह राय है कि यह अनुसूचित उल्लिखित निष्क्रान्त सम्पत्ति गार्जनिंग हित के लिये अब से दिल्ली प्रदेश में अनुबद्ध की जाये, क्योंकि जिसका उद्देश्य विस्थापितों की सहायता तथा पुनर्वासि के लिये अर्जित करना आवश्यक है ।

अतः अब विस्थापित (मुआविजा तथा पुनर्वासि) अधिनियम, 1954 (1954 के 44) की धारा 12 की प्रदत्त शक्तियों का प्रयोग करते हुए यह अधिसूचित किया जाता है कि केन्द्रीय सरकार ने अर्जित करने का निश्चय किया है । और इसके द्वारा अनुसूचित उल्लिखित निष्क्रान्त सम्पत्ति अब से अर्जित कर ली है ।

अनुसूची

| क्रम सं० | निष्क्रान्त सम्पत्ति का विवरण | अधिसूची कस्बे का नाम तथा उस स्थान का नाम जहाँ पर सम्पत्ति स्थित है | निष्क्रान्त का नाम | निष्क्रान्त के अभिव्यक्त का नाम |
|----------|---|--|--|---------------------------------|
| 1 | 2 | 3 | 4 | 5 |
| 1 | 111/268 ओल्ड/VI/877/I-10 न्यू जमालु-सुदीन विलेज | महरोली (दिल्ली) | शेख हाजी जमालुद्दीन | |
| 2 | खसरा नं० 259 मिन जिसका माप 4 बीघा प्रो० बी० वास | सिविल स्टेशन (दिल्ली) | अब्दुल रहमान बल्द अमान उल्ला अकबर मुहम्मद एक हिस्सा मुसम्मात रमजान बल्द मुहम्मद उमर एक हिस्सा मुहम्मद असमान, मुहम्मद इब्राहीम, मुहम्मद उमर, मुहम्मद इसहाक, मुहम्मद मुलेमान 6 हिस्से (बराबर का एक चौथाई हिस्सा सुपुत्र मोहम सईद-उद-निसाद फातिमा बी० 3 बराबर 2 हिस्से (2 भाग में) शमसुद्दीन, नासिरुद्दीन, अब्दुल लतीफ सुपुत्र अब्दुल मजीद (8 बराबर 2 हिस्से), मुसम्मात उमर मिसा पुत्री एक हिस्सा, मुहम्मद मुस्तान और मुहम्मद सादिक मुहम्मद दीन सन्त बराबर 2 हिस्से 10 हिस्से तथा मुसम्मात हसन बेगम, इकबाल बेगम पुत्रियां, शमसुद्दीन बल्द कालू एक हिस्सा, | एक हिस्सा |

Now, therefore, in exercise of the powers conferred by Section 12 of the Displaced Persons (Compensation & Rehabilitation) Act, 1954 (44 of 1954), it is notified that the Central Government has decided to acquire, and hereby acquires the said evacuee properties specified in the Schedule below :—

THE SCHEDULE

| S.No. | Particulars of evacuee property | Name of the town and locality in which the evacuee property is situated | Name of evacuee | Parentage of evacuee |
|-------|---|---|--|----------------------|
| 1. | 268 old/VI/877/I-IS New Jammaluddin Building. | Mehrauli (Delhi) | Sheikh Haja Jamaluddin | |
| 2. | Khasra No. 259 Min. Measur- ing 4 Bighas 0 Biswas. | Civil Station Delhi | Al dul Rehman S/o Aman Ulla Ishare. Akbar Mohd. 1 share. Mst. Remzan D/o Mohd Umar Ishare. Mohd. Asman Mohd. Ibrahim, Mohd. Umar. Mohd. Ishaq, Mohd Suleman 6 share. (In equal share ss/o Mosm. Said-ud-Nissaud. Fatima Bi in equal 3 shares in 2 shares) Shamsuddin, Nasiruddin, Abdul Ltif ss/o Abdul Majid (in equal 8 share) Mst. Umar Nisa Daughter one share, Mohd. Sultran & Mohd. Sadiq Mohd. Din sons in equal share 10 share and Mst. Hassan Begum Iqbal Begum Ds. Shamsuddin S/o Kalu 1 share, Abdul Hakim Rahim Bux Rehman Bux, Nadar Bux Habib Bux, s/o Karim Bux in equal one share and Mst. Fazal-ul-Nisa d/o Rahim Bux. Zakka Ulla Atta Ulla, Shamas- ud-Din ss/o Barkat Ulla in equal share. 1 share. Abdul Razak s/o Balander Bux. 1 share and Mst. Maryam Bai d/o Noor- Mohd. 1 share Latif-ul-Reh- man 1 share. Abdul Kahliq- Abdul Haq ss/o Abdulla in equal shares 1 share Fazal-ud- Rehman s/o Abdul Rehman 1 share. Akram-ud-Din s/o Nawab Ahmed, Zia Uddin s/o Sughra Din, in equal 1 share. Shamas-ud-din s/o Haider Bux 1 share. Sheikh Sadigu of Delhi Subzimandi. | |

[No. 29(1)/Comp. & Prop./71.]

JANKI NATH,
Settlement Commissioner
& Ex-Officio Under Secy.

(श्रम और रोजगार विभाग)

(मुख्य श्रम आयुक्त (केन्द्रीय) का कार्यालय)

आदेश

नई दिल्ली, 1 मार्च, 1971

एस० ए० 1075.—यतः मैसर्स नायक माइनिंग एन्टरप्राइजर्स (नियोजक) ने नीचे की अनुसूची में वर्णित अपने स्थापनों के सम्बन्ध में क्रमशः 31-3-69 और 31-3-70 को समाप्त होने वाले लेखा वर्षों के लिए अपने कर्मचारियों को बोनस के संदाय की कालावधि को बढ़ाने के लिए बोनस संदाय अधिनियम, 1965 की धारा 19 (ख) के अधीन आवेदन दिया है।

और यतः यह समाधान हो जाने पर कि समय बढ़ाने के लिए पर्याप्त कारण हैं, मैंने भारत सरकार के श्रम और रोजगार मंत्रालय की अधिसूचना सं० डब्ल्यू बी-20 (42)/65, तारीख 28 अगस्त, 1965 के साथ पठित उक्त अधिनियम की धारा 19 के खण्ड (ख) के परन्तुक द्वारा मुझे प्रदत्त शक्तियों का प्रयोग करते हुए 26-2-71 को उक्त नियोजक द्वारा उक्त बोनस के संदाय की कालावधि को अधिनियम की धारा 19 के खण्ड (ख) के अधीन बोनस के संदाय की अंतिम तारीख से क्रमशः 16 और 4 महीने (अर्थात् 31-3-71 तक) बढ़ाने का आदेश दे दिया है।

अब इसे उक्त स्थापन के नियोजक और सभी कर्मचारियों की सूचना के लिए प्रकाशित किया जाता है।

अनुसूची

नियोजक/नियोजकों का नाम और पता

स्थापन

मैसर्स नायक माइनिंग एन्टरप्राइजर्स, आयबूर पोस्ट, शिमोगा
जिला, मैसूर राज्य।

[सं० बी ए-6 (31)/70/एस एस I]

प्रो० वेंकटाचलम,

मुख्य श्रम आयुक्त (केन्द्रीय)।

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 22nd February, 1971

S.O. 1076.—Whereas the Central Government is of the opinion that it is necessary to acquire the evacuee properties in the State of Delhi specified in the schedule below for a public purpose, being a purpose connected with the relief and rehabilitation of displaced persons.

of India, Part II Section 3 sub-section (ii) dated the 7th November, 1970, in line 23—

for "Shri H. N. Chopra" read "Shri H. L. Chopra".

[No. 3/3/70-ML.]

J. D. TEWARI. Under Secy.

शुद्धिपत्र

नई दिल्ली, 25 फरवरी, 1971

का० प्र० 1074.—भारत के राजपत्र, तारीख 7 नवम्बर, 1970, भाग II, खण्ड 3, उपखण्ड (ii) में पृष्ठ 5050 पर प्रकाशित भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० का०प्र० 3582, तारीख 17 अक्टूबर, 1970 में, नीचे से सातवीं पंक्ति में—

"श्री एच० एन० चौपड़ा" के स्थान पर

"श्री एच० एल० चौपड़ा" पढ़िए।

[सं 3/3/70-एम-1]

जे० डी० तिवारी, अवर सचिव।

(Department of Labour and Employment) [Office of the Chief Labour Commissioner (Central)]

ORDER

New Delhi, the 1st March, 1971.

S.O. 1075—Whereas an application has been made under section 19(b) of the Payment of Bonus Act, 1965 by Messrs Naik Mining Enterprises (employer) in relation to their establishments mentioned in the Schedule below for extension of the period for the payment of bonus to their employees for the accounting year ending on 31-3-1969 and 31-3-1970 respectively.

And whereas being satisfied that there are sufficient reasons to extend the time I have, in exercise of the powers conferred on me by the proviso to clause (b) of Section 19 of the said act read with the notification of the Government of India in the Ministry of Labour and Employment No. WB 20(42)/65 dated the 28th August, 1965, passed order on 26-2-1971 extending the period for payment of the said bonus by the said employer by 16 & 4 months respectively (*i.e.* up to 31-3-1971) from the last date for payment of bonus under clause (b) of section 19 of the Act.

Now this is published for information of the employer and all the employees of the said establishment.

THE SCHEDULE

| Name and Address of the employer(s) | Establishment(s) |
|--|------------------|
| M/s. Naik Mining Enterprises, Ayanurpost, Shimoga Distt., (Mysore State). | .. |

[No. BA-6/31/70-LS.I]

O. VENKATACHALAM,
Chief Labour Commissioner (Centre)

(Department of Labour and Employment)

New Delhi, the 2nd March 1971

S.O. 1073.—Whereas the National Coal Development Corporation Limited, has, in pursuance of clause (ii) of subrule (1) of rule 3 of the Coal Mines Rescue Rules, 1959, nominated Shri N. Chandra, General Manager (B & K), Kargali to be a member to represent the said Corporation on the Central Coal Mines Rescue Stations Committee *vice* Shri S. Yegenswaran.

Now, therefore, in exercise of the powers conferred by rule 3 of the Coal Mines Rescue Rules, 1959, the Central Government, hereby makes the following amendment in the Notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) No 14/12/69-MI, dated the 16th September, 1970, namely:—

In the said Notification, for the entries against item 2, the following entries shall be substituted, namely:—

| | |
|---|--|
| <p>“Shri N. Chandra, General Manager (B & K), National Coal Development Corporation Limited, Kargali, Post Office Bermo, District Hazaribagh.</p> | <p>Nominated by the National Coal Development Corporation Limited”</p> |
|---|--|

[No. 14/22/70-MI.]

(श्रम और रोजगार विभाग)

नई दिल्ली, 2 मार्च, 1971

का० प्रा० 1073.—यतः राष्ट्रीय कोयला विकास निगम लिमिटेड ने कोयला खान बचाव नियम, 1959 के नियम 3 के उपनियम (1) के खण्ड (ii) के अनुसरण में, केन्द्रीय कोयला खान बचाव केन्द्र समिति में श्री एस० पञ्चेश्वरन के स्थान पर श्री एस० चन्द्रा, महाप्रबन्धक (बी० एण्ड के०), कारगली को उक्त निगम का प्रतिनिधित्व करने के लिए सदस्य के रूप में नामनिर्देशित किया है।

अतः, श्रम, कोयला खान बचाव नियम, 1959 के नियम 3 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) की अधिसूचना सं० 14/18/69-एम आई तारीख 16 सितम्बर, 1970 में एतद्वारा निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में मद 2 के सामने की प्रविष्टियों के स्थान पर निम्नलिखित प्रविष्टियां प्रतिस्थापित की जायेंगी, अर्थात् :—

| | |
|--|---|
| <p>“श्री एन० चन्द्रा, महाप्रबन्धक (बी० एण्ड के०), राष्ट्रीय कोयला विकास निगम लि०, कारगली, पो० ओ० बेरमों, जिला हजारी बाग।</p> | <p>राष्ट्रीय कोयला विकास निगम लिमिटेड द्वारा नामनिर्देशित।”</p> |
|--|---|

[सं० 14/22/70-एम आई]

CORRIGENDUM

New Delhi, the 25th February 1971

S.O. 1074.—In the Notification of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment), No. S.O. 3582, dated the 17th October, 1970, published at page 5050 of the Gazette

आदेश

नई दिल्ली, 27 फरवरी, 1971

का० प्रा० 1071.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में आयल एण्ड नैच्युरल गैस कमीशन, करेक्कल के प्रबन्धकों से सम्बद्ध नियोजकों और उनके कर्मचारों के बीच एक औद्योगिक विवाद विद्यमान है;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

अतः, अब, औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 7क धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा एक औद्योगिक अधिकरण गठित करती है, जिसके पीठासीन अधिकारी श्री थिरु एस० स्वामिकन्नु होंगे, जिनका मुख्यालय मद्रास होगा और उक्त विवाद न्यायनिर्णयन के लिए औद्योगिक अधिकरण को निर्देशित करती है।

अनुसूची

“क्या आयल एण्ड नैच्युरल गैस कमीशन द्वारा आयल एण्ड नैच्युरल गैस कमीशन, करेक्कल के सहायक, ग्रेड 2, श्री पी० आर०, चन्नन (आयल एण्ड नैच्युरल गैस कमीशन एम्प्लाईज यूनियन करेक्कल के सचिव) को 15 दिसम्बर, 1969 से सेवा से हटाना न्यायोचित था? यदि नहीं, तो वह किस अनुतोष के हकदार है?”

[सं० 7(5)/70-एल० आर०-4]

CORRIGENDUM

New Delhi, the 23rd February 1971

S.O. 1072.—In the Order of the Government of India in the Ministry of Labour, Employment and Rehabilitation (Department of Labour and Employment) S.O. 3539 dated the 15th October, 1970, published in the Gazette of India Part II Section 2, Sub-section (ii) dated the 31st October, 1970, at page 4945:—

For “Digbol” Read “Dibrugarh”

[No. 7(3)/70-LR-IV.]

U. MAHABALA RAO, Dy. Secy

शुद्धि पत्र

नई दिल्ली, 23 फरवरी 1971

का० प्रा० 1072.—भारत के राजपत्र, तारीख 31 अक्टूबर, 1970 के भाग 2, खण्ड 3, उपखण्ड (II) में पृष्ठ 4925 पर प्रकाशित भारत सरकार के श्रम, रोजगार और पुनर्वास मंत्रालय (श्रम और रोजगार विभाग) के आदेश का० प्रा० 3539, तारीख 15 अक्टूबर, 1970 में:—

“डिगबोई” के स्थान पर

“डिब्रुगढ़” पढ़िए।

[सं० (3)/70-एल० आर०-4]

यु० महाबाला राव, उप सचिव।

During the pendency of proceedings in respect of these two firms an application was filed on behalf of M/s. Pir Mohammed Chand Khan, Modak, Kota on the 27th November, 1970 stating that they have also settled the dispute with the Sangh and prayed for passing an award in the following terms. The representative of the Sangh also agreed to it.

Terms of Settlement

- (1) All the employees employed in the said stone Quarry of M/s. Peer Khan Chand Khan, Morak shall be paid dearness allowance at the rate of Rs. 7/- (Rupees Seven only) per month with effect from 1st April, 1970.
- (2) The employees shall, however, be entitled to this dearness allowance only after putting in an attendance of 20 days in a month should the attendance be between 10 and 19 days in a month, the workers will be given dearness allowance at the rate of Rs. 5/- only. Workers putting less than 10 attendances in a month shall not be entitled to any dearness.
- (3) The payment of dearness allowance shall be along with the payment of wages for the relevant month.
- (4) The parties shall report implementation of the settlement to the Assistant Labour Commissioner, (Central), Kota by the 15th May, 1970.

No appearance has however been put in on behalf of M/s. Motilal Chedilal, Quarry Owner, Kota inspite of service. The case was therefore heard ex parte in respect of this firm. Considering all respects of the matter we consider that the award made in respect of Messrs. Raj Flooring Stone Company and four others, be made applicable on this establishment also.

Hence an award in terms of the settlement mentioned above is passed in respect of Messrs. Pir Mohammed Chand Khan, Modak, Kota. It is further directed that the award passed in respect of Messrs. Raj Flooring Stone Company, Ramganj-mandi and four others on 21st February, 1969 be made applicable on the establishment of M/s. Motilal Chedilal, Quarry Owner Modak, Kota with a condition that the arrears of Dearnes Allowance under this award shall be paid to the workmen within one month of its publication.

The award be submitted to the Central Government for publication.

(Sd.) GOPAL NARAIN SHARMA,
Presiding Officer,
Central Government Industrial Tribunal,
Rajasthan, Jaipur.
[No. 36(47)/67-LR-I(LR-IV.)]

ORDER

New Delhi, the 27th February 1971

S.O. 1971—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Oil and Natural Gas Commission, Karaikkal and their workmen in respect of the matters specified in the Schedule hereto annexed:

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication

Now, therefore, in exercise of the powers conferred by section 7A and clause (1) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Thiru S. Swamikkannu as Presiding Officer with headquarters at Madras and refers the said dispute for adjudication to the Industrial Tribunal.

SCHEDULE

"Whether the removal from service of Shri P. R. Chandran, Assistant Grade II of the Oil and Natural Gas Commission at Karaikkal (Secretary of the Oil and Natural Gas Commission Employees Union Karaikkal) by the Oil and Natural Gas Commission with effect from the 15th December, 1969 was justified? If not, to what relief is he entitled?"

[No. 7(5)/70-LR-IV.]